

# **EXHIBIT A**


**CT Corporation  
Service of Process Notification**

11/22/2022

CT Log Number 542731957

**Service of Process Transmittal Summary**

**TO:** EMPLOYEE RELATIONS  
 Target Corporation  
 1000 NICOLLET MALL, MS: CC-1810  
 MINNEAPOLIS, MN 55403-2542

**RE:** **Process Served in California**

**FOR:** Target Corporation (Domestic State: MN)

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

<b>TITLE OF ACTION:</b>	Re: YOSHIRA GASTELUM GONZALEZ // To: Target Corporation
<b>CASE #:</b>	22STCV35977
<b>NATURE OF ACTION:</b>	Employee Litigation - Wrongful Termination
<b>PROCESS SERVED ON:</b>	C T Corporation System, GLENDALE, CA
<b>DATE/METHOD OF SERVICE:</b>	By Process Server on 11/22/2022 at 14:55
<b>JURISDICTION SERVED:</b>	California
<b>ACTION ITEMS:</b>	CT has retained the current log, Retain Date: 11/23/2022, Expected Purge Date: 11/28/2022  Image SOP  Email Notification, EMPLOYEE RELATIONS ct.service@target.com
<b>REGISTERED AGENT CONTACT:</b>	C T Corporation System 330 N BRAND BLVD STE 700 GLENDALE, CA 91203 877-564-7529 MajorAccountTeam2@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.



## PROCESS SERVER DELIVERY DETAILS

Date: Tue, Nov 22, 2022  
Server Name: Mario Hernandez

Entity Served	TARGET CORPORATION
Case Number	22STCV35977
Jurisdiction	CA

Inserts



**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**

STREET ADDRESS: 111 N. Hill St.

MAILING ADDRESS: 111 N. Hill St.

CITY AND ZIP CODE: Los Angeles, 90012

BRANCH NAME: Stanley Mosk Courthouse

CASE NAME:  
**YOSHIRA GASTELUM GONZALEZ v. TARGET CORPORATION**

<b>CIVIL CASE COVER SHEET</b>		<b>Complex Case Designation</b>	CASE NUMBER:
<input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		<input type="checkbox"/> Counter <input type="checkbox"/> Joinder  Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	22STCV35977
		JUDGE:	
		DEPT.:	

Items 1–6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

**Auto Tort**

- Auto (22)  
 Uninsured motorist (46)

**Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort**

- Asbestos (04)  
 Product liability (24)  
 Medical malpractice (45)  
 Other PI/PD/WD (23)

**Non-PI/PD/WD (Other) Tort**

- Business tort/unfair business practice (07)  
 Civil rights (08)  
 Defamation (13)  
 Fraud (16)  
 Intellectual property (19)  
 Professional negligence (25)  
 Other non-PI/PD/WD tort (35)

**Employment**

- Wrongful termination (36)  
 Other employment (15)

**Contract**

- Breach of contract/warranty (06)  
 Rule 3.740 collections (09)  
 Other collections (09)  
 Insurance coverage (18)  
 Other contract (37)

**Real Property**

- Eminent domain/Inverse condemnation (14)  
 Wrongful eviction (33)  
 Other real property (26)

**Unlawful Detainer**

- Commercial (31)  
 Residential (32)  
 Drugs (38)

**Judicial Review**

- Asset forfeiture (05)  
 Petition re: arbitration award (11)  
 Writ of mandate (02)  
 Other judicial review (39)

**Provisionally Complex Civil Litigation**

(Cal. Rules of Court, rules 3.400–3.403)

- Antitrust/Trade regulation (03)  
 Construction defect (10)  
 Mass tort (40)  
 Securities litigation (28)  
 Environmental/Toxic tort (30)  
 Insurance coverage claims arising from the above listed provisionally complex case types (41)

**Enforcement of Judgment**

- Enforcement of judgment (20)

**Miscellaneous Civil Complaint**

- RICO (27)  
 Other complaint (not specified above) (42)

**Miscellaneous Civil Petition**

- Partnership and corporate governance (21)  
 Other petition (not specified above) (43)

2. This case  is  is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

- a.  Large number of separately represented parties      d.  Large number of witnesses  
 b.  Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve      e.  Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court  
 c.  Substantial amount of documentary evidence      f.  Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a.  monetary b.  nonmonetary; declaratory or injunctive relief c.  punitive

4. Number of causes of action (specify): 14

5. This case  is  is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 11/14/2022

Daphne Delvaux, Esq.

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

**INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET**

**To Plaintiffs and Others Filing First Papers.** If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

**To Parties in Rule 3.740 Collections Cases.** A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

**To Parties in Complex Cases.** In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

**Auto Tort**

- Auto (22)-Personal Injury/Property Damage/Wrongful Death
- Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

**Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death)****Tort**

- Asbestos (04)
- Asbestos Property Damage
- Asbestos Personal Injury/ Wrongful Death
- Product Liability (*not asbestos or toxic/environmental*) (24)
- Medical Malpractice (45)
- Medical Malpractice- Physicians & Surgeons
- Other Professional Health Care Malpractice
- Other PI/PD/WD (23)
- Premises Liability (e.g., slip and fall)
- Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
- Intentional Infliction of Emotional Distress
- Negligent Infliction of Emotional Distress
- Other PI/PD/WD

**Non-PI/PD/WD (Other) Tort**

- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
- Legal Malpractice
- Other Professional Malpractice (*not medical or legal*)
- Other Non-PI/PD/WD Tort (35)

**Employment**

- Wrongful Termination (36)
- Other Employment (15)

**CASE TYPES AND EXAMPLES****Contract**

- Breach of Contract/Warranty (06)
- Breach of Rental/Lease
- Contract (*not unlawful detainer or wrongful eviction*)
- Contract/Warranty Breach-Seller Plaintiff (*not fraud or negligence*)
- Negligent Breach of Contract/ Warranty
- Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
- Collection Case-Seller Plaintiff
- Other Promissory Note/Collections Case
- Insurance Coverage (*not provisionally complex*) (18)
- Auto Subrogation
- Other Coverage
- Other Contract (37)
- Contractual Fraud
- Other Contract Dispute

**Real Property**

- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
- Writ of Possession of Real Property
- Mortgage Foreclosure
- Quiet Title
- Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

**Unlawful Detainer**

- Commercial (31)
- Residential (32)
- Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

**Judicial Review**

- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
- Writ-Administrative Mandamus
- Writ-Mandamus on Limited Court Case Matter
- Writ-Other Limited Court Case Review
- Other Judicial Review (39)
- Review of Health Officer Order
- Notice of Appeal-Labor Commissioner Appeals

**Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400-3.403)**

- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

**Enforcement of Judgment**

- Enforcement of Judgment (20)
- Abstract of Judgment (Out of County)
- Confession of Judgment (*non-domestic relations*)
- Sister State Judgment
- Administrative Agency Award (*not unpaid taxes*)
- Petition/Certification of Entry of Judgment on Unpaid Taxes
- Other Enforcement of Judgment Case

**Miscellaneous Civil Complaint**

- RICO (27)
- Other Complaint (*not specified above*) (42)
- Declaratory Relief Only
- Injunctive Relief Only (*non-harassment*)
- Mechanics Lien
- Other Commercial Complaint Case (*non-tort/non-complex*)
- Other Civil Complaint (*non-tort/non-complex*)

**Miscellaneous Civil Petition**

- Partnership and Corporate Governance (21)
- Other Petition (*not specified above*) (43)
- Civil Harassment
- Workplace Violence
- Elder/Dependent Adult Abuse
- Election Contest
- Petition for Name Change
- Petition for Relief From Late Claim
- Other Civil Petition

SHORT TITLE <b>GASTELUM GONZALEZ v. TARGET CORPORATION</b>	CASE NUMBER <b>22ST CV 35977</b>
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**CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION**

(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)

**This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court****Step 1:** After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.**Step 2:** In Column B, check the box for the type of action that best describes the nature of the case.**Step 3:** In Column C, circle the number which explains the reason for the court filing location you have chosen.**Applicable Reasons for Choosing Courthouse Location (Column C)**

1. Class Actions must be filed in the Stanley Mosk Courthouse, Central District.	7. Location where petitioner resides.
2. Permissive filing in Central District.	8. Location wherein defendant/respondent functions wholly.
3. Location where cause of action arose.	9. Location where one or more of the parties reside.
4. Location where bodily injury, death or damage occurred.	10. Location of Labor Commissioner Office.
5. Location where performance required, or defendant resides.	11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection).
6. Location of property or permanently garaged vehicle.	

	A Civil Case Cover Sheet Case Type	B Type of Action (check only one)	C Applicable Reasons (see Step 3 above)
Auto Tort	Auto (22)	<input type="checkbox"/> 2201 Motor Vehicle – Personal Injury/Property Damage/Wrongful Death	1, 4
	Uninsured Motorist (46)	<input type="checkbox"/> 4601 Uninsured Motorist – Personal Injury/Property Damage/Wrongful Death	1, 4
Other Personal Injury/ Property Damage/ Wrongful Death	Other Personal Injury/ Property Damage/ Wrongful Death (23)	<input type="checkbox"/> 2301 Premise Liability (e.g., dangerous conditions of property, slip/trip and fall, dog attack, etc.)	1, 4
		<input type="checkbox"/> 2302 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, battery, vandalism, etc.)	1, 4
		<input type="checkbox"/> 2303 Intentional Infliction of Emotional Distress	1, 4
		<input type="checkbox"/> 2304 Other Personal Injury/Property Damage/Wrongful Death	1, 4
		<input type="checkbox"/> 2305 Elder/Dependent Adult Abuse/Claims Against Skilled Nursing Facility	1, 4
		<input type="checkbox"/> 2306 Intentional Conduct – Sexual Abuse Case (in any form)	1, 4

SHORT TITLE		CASE NUMBER	
	<b>A</b> Civil Case Cover Sheet Case Type	<b>B</b> Type of Action (check only one)	<b>C</b> Applicable Reasons (see Step 3 above)
		<input type="checkbox"/> 2307 Construction Accidents	1, 4
		<input type="checkbox"/> 2308 Landlord – Tenant Habitability (e.g., bed bugs, mold, etc.)	1, 4
<b>Other Personal Injury/ Property Damage/ Wrongful Death</b>	Product Liability (24)	<input type="checkbox"/> 2401 Product Liability (not asbestos or toxic/ environmental)	1, 4
		<input type="checkbox"/> 2402 Product Liability – Song-Beverly Consumer Warranty Act (CA Civil Code §§1790-1795.8) (Lemon Law)	1, 3, 5
	Medical Malpractice (45)	<input type="checkbox"/> 4501 Medical Malpractice – Physicians & Surgeons	1, 4
		<input type="checkbox"/> 4502 Other Professional Health Care Malpractice	1, 4
<b>Non-Personal Injury/Property Damage/Wrongful Death</b>	Business Tort (07)	<input type="checkbox"/> 0701 Other Commercial/Business Tort (not fraud or breach of contract)	1, 2, 3
	Civil Rights (08)	<input type="checkbox"/> 0801 Civil Rights/Discrimination	1, 2, 3
	Defamation (13)	<input type="checkbox"/> 1301 Defamation (slander/libel)	1, 2, 3
	Fraud (16)	<input type="checkbox"/> 1601 Fraud (no contract)	1, 2, 3
	Professional Negligence (25)	<input type="checkbox"/> 2501 Legal Malpractice	1, 2, 3
		<input type="checkbox"/> 2502 Other Professional Malpractice (not medical or legal)	1, 2, 3
	Other (35)	<input type="checkbox"/> 3501 Other Non-Personal Injury/Property Damage Tort	1, 2, 3
<b>Employment</b>	Wrongful Termination (36)	<input checked="" type="checkbox"/> 3601 Wrongful Termination	1, 2, 3
	Other Employment (15)	<input type="checkbox"/> 1501 Other Employment Complaint Case	1, 2, 3
		<input type="checkbox"/> 1502 Labor Commissioner Appeals	10
<b>Contract</b>	Breach of Contract / Warranty (06) (not insurance)	<input type="checkbox"/> 0601 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)	2, 5
		<input type="checkbox"/> 0602 Contract/Warranty Breach – Seller Plaintiff (no fraud/negligence)	2, 5
		<input type="checkbox"/> 0603 Negligent Breach of Contract/Warranty (no fraud)	1, 2, 5
		<input type="checkbox"/> 0604 Other Breach of Contract/Warranty (no fraud/ negligence)	1, 2, 5
		<input type="checkbox"/> 0605 Breach of Rental/Lease Contract (COVID-19 Rental Debt)	2, 5
	Collections (09)	<input type="checkbox"/> 0901 Collections Case – Seller Plaintiff	5, 6, 11
		<input type="checkbox"/> 0902 Other Promissory Note/Collections Case	5, 11
		<input type="checkbox"/> 0903 Collections Case – Purchased Debt (charged off consumer debt purchased on or after January 1, 2014)	5, 6, 11
		<input type="checkbox"/> 0904 Collections Case – COVID-19 Rental Debt	5, 11
	Insurance Coverage (18)	<input type="checkbox"/> 1801 Insurance Coverage (not complex)	1, 2, 5, 8

SHORT TITLE	CASE NUMBER
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	A Civil Case Cover Sheet Case Type	B Type of Action (check only one)	C Applicable Reasons (see Step 3 above)
<b>Contract</b> (continued)	Other Contract (37)	<input type="checkbox"/> 3701 Contractual Fraud <input type="checkbox"/> 3702 Tortious Interference <input type="checkbox"/> 3703 Other Contract Dispute (not breach/insurance/fraud/negligence)	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 8, 9
<b>Real Property</b>	Eminent Domain/ Inverse Condemnation (14)	<input type="checkbox"/> 1401 Eminent Domain/Condemnation Number of Parcels _____	2, 6
	Wrongful Eviction (33)	<input type="checkbox"/> 3301 Wrongful Eviction Case	2, 6
	Other Real Property (26)	<input type="checkbox"/> 2601 Mortgage Foreclosure <input type="checkbox"/> 2602 Quiet Title <input type="checkbox"/> 2603 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6 2, 6 2, 6
<b>Unlawful Detainer</b>	Unlawful Detainer – Commercial (31)	<input type="checkbox"/> 3101 Unlawful Detainer – Commercial (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer – Residential (32)	<input type="checkbox"/> 3201 Unlawful Detainer – Residential (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer – Post Foreclosure (34)	<input type="checkbox"/> 3401 Unlawful Detainer – Post Foreclosure	2, 6, 11
	Unlawful Detainer – Drugs (38)	<input type="checkbox"/> 3801 Unlawful Detainer – Drugs	2, 6, 11
<b>Judicial Review</b>	Asset Forfeiture (05)	<input type="checkbox"/> 0501 Asset Forfeiture Case	2, 3, 6
	Petition re Arbitration (11)	<input type="checkbox"/> 1101 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	<input type="checkbox"/> 0201 Writ – Administrative Mandamus <input type="checkbox"/> 0202 Writ – Mandamus on Limited Court Case Matter <input type="checkbox"/> 0203 Writ – Other Limited Court Case Review	2, 8 2 2
	Other Judicial Review (39)	<input type="checkbox"/> 3901 Other Writ/Judicial Review <input type="checkbox"/> 3902 Administrative Hearing <input type="checkbox"/> 3903 Parking Appeal	2, 8 2, 8 2, 8
<b>Provisionally Complex Litigation</b>	Antitrust/Trade Regulation (03)	<input type="checkbox"/> 0301 Antitrust/Trade Regulation	1, 2, 8
	Asbestos (04)	<input type="checkbox"/> 0401 Asbestos Property Damage <input type="checkbox"/> 0402 Asbestos Personal Injury/Wrongful Death	1, 11 1, 11

SHORT TITLE	CASE NUMBER		
	A Civil Case Cover Sheet Case Type	B Type of Action (check only one)	C Applicable Reasons (see Step 3 above)
<b>Provisionally Complex Litigation (Continued)</b>	Construction Defect (10)	<input type="checkbox"/> 1001 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	<input type="checkbox"/> 4001 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	<input type="checkbox"/> 2801 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	<input type="checkbox"/> 3001 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> 4101 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
<b>Enforcement of Judgment</b>	Enforcement of Judgment (20)	<input type="checkbox"/> 2001 Sister State Judgment	2, 5, 11
		<input type="checkbox"/> 2002 Abstract of Judgment	2, 6
		<input type="checkbox"/> 2003 Confession of Judgment (non-domestic relations)	2, 9
		<input type="checkbox"/> 2004 Administrative Agency Award (not unpaid taxes)	2, 8
		<input type="checkbox"/> 2005 Petition/Certificate for Entry of Judgment Unpaid Tax	2, 8
		<input type="checkbox"/> 2006 Other Enforcement of Judgment Case	2, 8, 9
<b>Miscellaneous Civil Complaints</b>	RICO (27)	<input type="checkbox"/> 2701 Racketeering (RICO) Case	1, 2, 8
	Other Complaints (not specified above) (42)	<input type="checkbox"/> 4201 Declaratory Relief Only	1, 2, 8
		<input type="checkbox"/> 4202 Injunctive Relief Only (not domestic/harassment)	2, 8
		<input type="checkbox"/> 4203 Other Commercial Complaint Case (non-tort/noncomplex)	1, 2, 8
		<input type="checkbox"/> 4204 Other Civil Complaint (non-tort/non-complex)	1, 2, 8
<b>Miscellaneous Civil Petitions</b>	Partnership Corporation Governance (21)	<input type="checkbox"/> 2101 Partnership and Corporation Governance Case	2, 8
	Other Petitions (not specified above) (43)	<input type="checkbox"/> 4301 Civil Harassment with Damages	2, 3, 9
		<input type="checkbox"/> 4302 Workplace Harassment with Damages	2, 3, 9
		<input type="checkbox"/> 4303 Elder/Dependent Adult Abuse Case with Damages	2, 3, 9
		<input type="checkbox"/> 4304 Election Contest	2
		<input type="checkbox"/> 4305 Petition for Change of Name/Change of Gender	2, 7
		<input type="checkbox"/> 4306 Petition for Relief from Late Claim Law	2, 3, 8
		<input type="checkbox"/> 4307 Other Civil Petition	2, 9

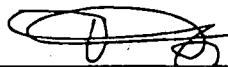
SHORT TITLE	CASE NUMBER
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**Step 4: Statement of Reason and Address:** Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address, which is the basis for the filing location including zip code. (No address required for class action cases.)

REASON:			ADDRESS:
<input type="checkbox"/> 1. <input type="checkbox"/> 2. <input checked="" type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11			2626 COLORADO BLVD.
CITY: LOS ANGELES	STATE: CA	ZIP CODE: 90041	

**Step 5: Certification of Assignment:** I certify that this case is properly filed in the CENTRAL District of the Superior Court of California, County of Los Angeles [Code of Civ. Proc., 392 et seq., and LASC Local Rule 2.3(a)(1)(E)]

Dated: 11/14/2022

  
(SIGNATURE OF ATTORNEY/FILING PARTY)

**PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:**

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form LASC CIV 109 (10/22).
5. Payment in full of the filing fee, unless there is a court order for waiver, partial or schedule payments.
6. A signed order appointing a Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court to issue a Summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the Summons and Complaint, or other initiating pleading in the case.

# SUMMONS (CITACION JUDICIAL)

**NOTICE TO DEFENDANT:**  
**(AVISO AL DEMANDADO):**

TARGET CORPORATION; and DOES 1 through 25, Inclusive,

**YOU ARE BEING SUED BY PLAINTIFF:**  
**(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

YOSHIRA GASTELUM GONZALEZ, an individual,

*FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)*

**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es):

Superior Court of California, County of Los Angeles

STANLEY MOSK COURTHOUSE

111 N. Hill Street, Los Angeles, CA, 90012

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Daphne A.M Delvaux, Esq., DELVAUX LAW, 2169 First Avenue, San Diego, California 92101-2013, (619) 756-4167

Sherri R. Carter Executive Officer / Clerk of Court

DATE: 11/15/2022

(Fecha)

Clerk, by

(Secretario)

R. Perez

, Deputy

(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

**NOTICE TO THE PERSON SERVED:** You are served

1.  as an individual defendant.

2.  as the person sued under the fictitious name of (specify):

3.  on behalf of (specify):

under:  CCP 416.10 (corporation)

CCP 416.60 (minor)

CCP 416.20 (defunct corporation)

CCP 416.70 (conservatee)

CCP 416.40 (association or partnership)

CCP 416.90 (authorized person)

other (specify):

4.  by personal delivery on (date):



**SUMMONS**

1 Daphne A.M. Delvaux (292345)  
2 Colette N. Mahon (304745)  
3 DELVAUX LAW  
4 2169 FIRST AVENUE  
5 SAN DIEGO, CALIFORNIA 92101-2013  
6 TELEPHONE: (619) 756-4167

7 Attorneys for Plaintiff,  
8 **YOSHIRA GASTELUM GONZALEZ**

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **COUNTY OF LOS ANGELES**

11 YOSHIRA GASTELUM GONZALEZ, an ) Case No. 22STCV35977  
12 individual, )  
13 Plaintiff, )  
14 v. )  
15 TARGET CORPORATION; and DOES 1 )  
16 through 25, Inclusive, )  
17 Defendants. )

18 ) **PLAINTIFF'S COMPLAINT FOR:**

- 19 ) 1. DISCRIMINATION ON BASIS OF  
20 PREGNANCY, CHILDBIRTH OR  
21 RELATED MEDICAL CONDITION  
22 [Cal. Gov't Code § 12940(a)];  
23 2. DISABILITY OR MEDICAL  
24 CONDITION DISCRIMINATION [Cal.  
25 Gov't Code § 12940(a); § 12926(o)];  
26 3. DISCRIMINATION BASED ON  
ASSOCIATION WITH DISABILITY OR  
MEDICAL CONDITION [Cal. Gov't  
Code § 12940(a); § 12926(o)];  
27 4. FAILURE TO ACCOMMODATE [Cal.  
Gov't Code § 12940(m)];  
28 5. FAILURE TO ENGAGE IN THE  
INTERACTIVE PROCESS [Cal. Gov't  
Code § 12940(n)];  
29 6. REFUSAL TO GRANT PREGNANCY,  
CHILDBIRTH, OR A RELATED  
MEDICAL CONDITION LEAVE  
RIGHTS [Cal. Gov't Code § 12945(a)(1);  
30 2 CCR § 11042(c)];  
31 7. INTERFERENCE WITH, RESTRAINT,  
OR DENIAL OF PREGNANCY,  
CHILDBIRTH, OR A RELATED  
MEDICAL CONDITION LEAVE  
RIGHTS [Cal. Gov't Code § 12945(a)(4)];  
32 8. REFUSAL TO GRANT FAMILY CARE  
AND MEDICAL LEAVE RIGHTS [Cal.  
Gov't Code § 12945.2(a); 2 CCR  
§ 11088(a)];  
33 9. RETALIATION BASED ON EXERCISE  
OF CFRA RIGHTS [Cal. Gov't Code §  
12945.2(q)];  
34 10. RETALIATION [Cal. Gov't Code §  
12940(h)];

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38

- 1 ) 11. RETALIATION [Cal. Lab. Code §  
 2 ) 1102.5];  
 3 ) 12. FAILURE TO PREVENT  
 4 ) DISCRIMINATION, HARASSMENT  
 5 ) AND RETALIATION] [Cal. Gov't Code  
 6 ) §12940(k)];  
 7 ) 13. NEGLIGENT SUPERVISION;  
 8 ) 14. INTENTIONAL INFILCTION OF  
 9 ) EMOTIONAL DISTRESS.  
 10 )  
 11 )  
 12 )  
 13 )  
 14 )  
 15 ) **[JURY TRIAL DEMANDED]**

16 COMES NOW THE PLAINTIFF, alleging against Defendants as follows:

17 **GENERAL ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**

- 18 1. Plaintiff YOSHIRA GASTELUM GONZALEZ, (hereinafter "Plaintiff" or  
 19 "GASTELUM GONZALEZ") is a natural person who is, and at all relevant times was, a  
 20 resident of the United States and a domiciliary of the State of California.
- 21 2. Plaintiff is informed and believes and thereon alleges that Defendant, TARGET  
 22 CORPORATION (hereinafter "TARGET" or "Defendant"), is a California Corporation  
 23 doing business in the State of California, and is subject to suit under the California Fair  
 24 Employment Housing Act (FEHA), California Government Code § 12940 *et seq.* On  
 25 information and belief, TARGET employs in excess of five employees in LOS  
 26 ANGELES and elsewhere.
- 27 3. Plaintiff is ignorant to the true names and capacities of the Defendants sued herein as  
 28 DOES 1 through 25 and therefore sues these defendants by such fictitious names.  
 29 Plaintiff will amend this Complaint to allege the true names and capacities when they are  
 30 ascertained.
- 31 4. Plaintiff is informed and believes and thereon alleges that each fictitiously named  
 32 Defendant is responsible in some manner for the occurrences herein alleged, and  
 33 Plaintiff's injuries and damages as herein alleged are directly, proximately and/or legally  
 34 caused by Defendants.
- 35 5. Plaintiff is informed and believes and thereon alleges that the aforementioned DOES are  
 36 somehow responsible for the acts alleged herein as the agents, employers, representatives

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1 or employees of other named Defendant, and in doing the acts herein alleged were acting  
2 within the scope of their agency, employment or representative capacity of said named  
3 Defendants.

4 The tortious acts and omissions alleged herein were performed by management level  
5 employees of Defendant. Defendant allowed and/or condoned a continuing pattern of  
6 fraudulent and unfair practices.

7 At all times mentioned herein, Cal. Gov't Code §12940, et seq., was in full force and  
8 effect and was binding on Defendants.

9 The actions of Defendants against Plaintiff constitute unlawful employment practices in  
10 violation of Cal. Gov't. Code §12940, et seq., as herein alleged, and have caused, and  
11 will continue to cause, Plaintiff emotional distress and loss of earnings.

12 At all times mentioned herein, Cal. Gov't Code §12945, et seq., was in full force and  
13 effect and was binding on Defendants.

14 The actions of Defendants against Plaintiff constitute unlawful employment practices in  
15 violation of Cal. Gov't. Code §12945, et seq., as herein alleged, and have caused, and  
16 will continue to cause, Plaintiff emotional distress and loss of earnings.

17 At all times mentioned herein, Cal. Gov't Code §12945.2, et seq., was in full force and  
18 effect and was binding on Defendants.

19 The actions of Defendants against Plaintiff constitute unlawful employment practices in  
20 violation of Cal. Gov't. Code §12945.2, et seq., as herein alleged, and have caused, and  
21 will continue to cause, Plaintiff emotional distress and loss of earnings.

22 Defendants had actual and constructive knowledge of the tortious acts and omissions  
23 alleged and thereafter ratified said conduct by failing to reprimand or terminate.

24 Defendants, and each of them, committed these acts alleged herein maliciously,  
25 fraudulently, and oppressively, and with the wrongful intention of injuring Plaintiff, and  
acted with an improper and evil motive amounting to malice or despicable conduct.

26 Alternatively, Defendants' wrongful conduct was carried out with a conscious disregard

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1 for Plaintiff's rights.  
2

3 15. Plaintiff filed her charges of discrimination and against Defendant with the California  
4 Department of Fair Employment and Housing on November 10, 2022, and thereafter, on  
5 that same day, received from the DFEH her "Right to Sue" letters, which are collectively  
6 attached hereto as "EXHIBIT A."

7 **SPECIFIC FACTUAL ALLEGATIONS**  
8

9 16. Plaintiff re-alleges and incorporates by reference each and every allegation contained in  
10 the preceding paragraphs as though fully set forth herein.

11 17. Target is a retail department store.  
12

13 18. On or about August 19, 2016, Plaintiff began working for Defendant at its T1408 Los  
14 Angeles Eagle Rock Target store location in the position of seasonal cashier. After the  
15 2016 holidays, Defendant offered Plaintiff a full-time regular team member position.  
16 Plaintiff accepted.  
17

18 19. In or around February 2017, Defendant promoted Plaintiff to Guest Service Assistant.  
20

21 20. On or about May 24, 2019, Defendant promoted Plaintiff to Service and Engagement  
22 Team Lead ("SETL"). As SETL, Plaintiff's duties and responsibilities included, but were  
23 not limited to, managing a team of Guest Advocates and Front of Store Attendants, plan  
24 and execute daily/weekly workload, leading and following-up on training completion, de-  
escalating negative guest shopping experiences, scheduling, and more.

25 21. Throughout her employment, Plaintiff performed her work in a competent and diligent  
26 fashion.  
27

22. On or about September 28, 2021, Defendant transferred Plaintiff to another location.

23. Plaintiff remained in the same position as SETL for the new location.

24. At this time, Plaintiff was almost 21 weeks pregnant. Defendant was aware of Plaintiff's  
25 pregnancy.  
26

27. Plaintiff needed accommodations for pregnancy-related needs. These accommodations  
included lifting restrictions when items were over 20 pounds, regular breaks, and

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- 1 avoiding deep twists of her torso to protect her pregnancy.
- 2 25. Plaintiff also needed to wear maternity leggings to accommodate her growing body. The  
3 maternity leggings provided comfort and support to her hips and growing baby belly.
- 4 26. The traditional clothing required under TARGET's dress code are jeans and khakis, but  
5 these pants became too uncomfortable for her. Instead, Plaintiff wore black maternity  
6 leggings to work.
- 7 27. In response, Plaintiff's manager, Emilee Reaber ("Reaber") admonished her, telling her  
8 that leggings were not "brand appropriate" and violated the dress code, and that she was  
9 required to wear jeans or khakis. Reaber tried to intimidate Plaintiff and told her that not  
10 following the policy has "legal consequences." Plaintiff had never heard of a dress code  
11 violation resulting in a legal violation, so Plaintiff asked Reaber, "Do you mean the dress  
12 code section in the policy book?" Reaber replied, "no, legal."
- 13 28. On approximately two more occasions, Reaber admonished Plaintiff for wearing  
14 maternity leggings.
- 15 29. A couple days later, Reaber notified all the team leads and ETLs about the dress code  
16 policy and how team members needed to follow it and have coaching conversations if  
17 necessary. Plaintiff felt targeted.
- 18 30. In or around November 2021, Defendant gave Plaintiff assignments that violated many of  
19 her pregnancy-related restrictions. These included picking up heavy boxes, bending while  
20 sorting, pushing flats full of product items, restocking heavy merchandise in Defendant's  
21 front end department, and bending at the waist. Plaintiff was also denied proper breaks,  
22 including breaks to sit while experiencing Braxton Hicks contractions. Her feet were  
23 swelling due to the excessive standing and not having a stool to take a seat.
- 24 31. In response, Plaintiff informed her manager, Service and Engagement ETL, Grant  
25 Granter ("Ganther") of her work restrictions and asked for support. Defendant dismissed  
26 Plaintiff's restrictions and failed to provide support.
- 27 32. On approximately three occasions near the end of Plaintiff's pregnancy, Plaintiff became

1 sick at work, throwing up with extreme nausea and Braxton hicks contractions. Plaintiff  
2 reported this to Granter and requested to leave early to attend to her nausea. Granter  
3 instructed Plaintiff to “hang in there” to see if the illness would pass. Plaintiff remained at  
4 work.

- 5 33. On one of the occasions, a Saturday, Defendant did not permit her to go home despite  
6 experiencing severe pregnancy-related sickness.
- 7 34. In or around November 2021, Plaintiff met with her store HR Representative, Tiffany  
8 Hill (“Hill”), to discuss her pregnancy restrictions. She also reported Reaber, disclosing  
9 that Reaber admonished her for wearing maternity leggings that provided comfort and  
10 support to her baby belly instead of regular jeans. Plaintiff also requested a stool to take  
11 breaks from standing, as a pregnancy accommodation.
- 12 35. In or around December 2021, Plaintiff provided to Hill an updated work restriction  
13 request that included the request for comfort wear.
- 14 36. Throughout the remainder of Plaintiff’s pregnancy, Hill never followed up with Plaintiff  
15 on her restrictions and they were not accommodated.
- 16 37. TARGET routinely failed to accommodate Plaintiff’s pregnancy, aggravating her  
17 symptoms.
- 18 38. In or around mid-December 2022, Plaintiff asked Granter for a stool from the sales floor  
19 to keep at her service desk when she needed a break from standing. Hill had failed to  
20 followed up with Plaintiff on providing a stool. Granter told Plaintiff, “I don’t think we  
21 can keep a stool at the service desk or self-check out for you to sit on. Emilee [Raeber]  
22 might not approve of it. It’s not brand appropriate. It’s not a good look for the guests. We  
23 work in a more diverse, uppity area so we have to maintain the brand purpose, especially  
24 if we get an unexpected corporate visit,” or words to that effect.
- 25 39. TARGET cared more about their brand optics than the success and health of Plaintiff’s  
26 pregnancy.
- 27 40. In or around December 2021, prior to going out on leave, Plaintiff spoke to Defendant’s

1           Leave and Disability Team about her upcoming leave. Plaintiff specifically informed  
2           Defendant that she wanted to max out her time off due to her pregnancy, both disability  
3           leave and bonding leave. Defendant's representative informed Plaintiff that was not a  
4           problem and that if she had a C-section, she needed to call so they could update her leave  
5           since a C-section permitted 8 weeks of recovery, versus 6 weeks for a normal labor.

6          41. Plaintiff began her leave on approximately January 17, 2022 and gave birth via C-section  
7           on January 28, 2022. Shortly thereafter, Plaintiff called Defendant's Leave and Disability  
8           Team to update them on her C-section and update her leave.

9          42. Plaintiff later realized Defendant's had her return date set for May 8, 2022, which was  
10           wrong. Defendant had only provided her with six weeks of bonding leave, yet she had six  
11           weeks remaining. Plaintiff contacted Defendant's Leave and Disability Team and  
12           requested her full leave, but was unsuccessful. Defendant wrongfully denied Plaintiff's  
13           bonding leave pursuant to the California Family Rights Act.

14          43. Since her return from leave through approximately June 2022 Plaintiff was not afforded  
15           all her pumping breaks. On approximately three occasions, Plaintiff had to pump in her  
16           car with a manual breast pump. Due to lack of breaks, Plaintiff's milk supply plummeted,  
17           right when the formula crisis hit. Plaintiff relied on half of Simulac formula and half  
18           breast milk due to a low breast milk supply. Defendant was aware of Plaintiff's struggle  
19           with pumping and reliance on Simulac. Eventually, by the beginning of June 2022,  
20           Plaintiff's inability to pump at work caused a total loss in her milk supply, right in the  
21           middle of a formula shortage. This caused Plaintiff extreme emotional distress and she  
22           felt like she was failing her baby.

23          44. On or about May 9, 2022, Plaintiff returned to work. Hill asked Plaintiff how her baby  
24           was. Plaintiff informed her that her baby was diagnosed with a larger than normal kidney  
25           and would have follow up appointments as well as ultrasound appointments.

26          45. On or about May 13, 2022, Plaintiff informed Hill (HR) that she needed May 27, 2022  
27           and May 31, 2022 off due to her baby's medical appointments. At first, Hill told Plaintiff

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- 1 to adjust her work shift around the baby appointments. Plaintiff replied that she needed  
2 the full day because her baby was receiving multiple shots and an ultrasound. Plaintiff  
3 reminded Hill about her baby's medical complications and that normally she tried to  
4 schedule her follow up appointments on the same date as the ultrasound appointment, but  
5 she could not this time. Hill replied that she would discuss her request with the store  
6 director, Reaber. Plaintiff repeatedly followed up with Hill.
- 7 46. On May 26, 2022, Plaintiff, once again, followed up with Hill. Hill again asked if  
8 Plaintiff could work an adjusted shift, which Plaintiff again replied no. Finally, Hill  
9 adjusted Plaintiff's schedule by switching her day off, June 1, 2022, to May 31, 2022 and  
10 she took Plaintiff off the work schedule for May 27, 2022.
- 11 47. On or about the evening of June 4, 2022, Plaintiff informed Hill that she was  
12 experiencing postpartum depression.
- 13 48. On or about June 10, 2022, Plaintiff took a sick day because her baby was suffering from  
14 severe pneumonia. Defendant was aware of her baby's disability. Plaintiff's sick day was  
15 protected by law, and specifically California Labor Code section 245 et seq. and section  
16 233.
- 17 49. On or about June 13, 2022, Plaintiff took another protected sick day. She informed her  
18 ETL Julissa Sanchez ("Sanchez") that she was experiencing body aches, high fever,  
19 migraine, lots of coughing, sore throat and loss of voice. Sanchez replied that Reaber  
20 brought her up to speed on Plaintiff's attendance and there seemed to be an "attendance  
21 pattern." Plaintiff was shocked. This was merely her second sick day. Sanchez said she  
22 would "look into things more" and asked if Plaintiff would return to work the next day,  
23 June 14, 2022. Plaintiff replied, "yes, as long as I feel better," or words to that effect.
- 24 50. On or about June 14, 2022, Plaintiff was still sick but mustered the strength to come to  
25 work for half her shift. While at work, Sanchez again brought up the "attendance  
26 pattern." Plaintiff again challenged a pattern issue. Plaintiff bravely advocated for herself  
27 and explained that if she had sick hours or a doctor's notes, the company could not

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1 discipline her, including providing her a coaching for attendance issues, final warnings,  
2 or termination. She explained that this was protected time off. Plaintiff had sick hours  
3 that she used for these occasions and the absences were protected pursuant to California  
4 Labor Code section 245 et seq. and section 233.

- 5 51. On or about June 30, 2022 and July 2, 2022 Sanchez asked Plaintiff to go outside and  
6 push carts. Being 5 months postpartum and having had a C section, Plaintiff told Sanchez  
7 she did not feel comfortable placing stress and pressure on her scar, which was not  
8 healed. Sanchez told Plaintiff, "We all have to be team players. If I am grabbing carts out  
9 there, so does everyone else," or words to that effect. On information and belief, there  
10 were other team members Sanchez could have requested to push the carts. Instead,  
11 Plaintiff was required to push more than 20 carts, placing unnecessary stress on her C-  
12 section scar.  
13 52. On or about July 8, 2022, Defendant wrongfully terminated Plaintiff's employment.  
14 Defendant's termination was pretext and a clear excuse to terminate Plaintiff based on  
15 pregnancy/childbirth on her leave, her accommodation requests, and her opposition to  
16 unlawful treatment.

**FIRST CAUSE OF ACTION**

**DISCRIMINATION ON BASIS OF PREGNANCY, CHILDBIRTH OR  
RELATED MEDICAL CONDITION**

**[Cal. Gov't Code § 12940(a)]**

- 17 53. Plaintiff re-alleges and incorporates by reference each and every allegation contained in  
18 the preceding paragraphs as though fully set forth herein.  
19 54. At all times mentioned herein, California Government Code section 12940 *et seq.* was in  
20 full force and effect and was binding on Defendant. This section required Defendant, as  
21 an employer, to refrain from discrimination against any employee on the basis of their  
22 sex or gender.  
23 55. California Government Code section 12926(r)(1) defines "sex" to include "pregnancy or  
24  
25  
26  
27

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- 1           medical conditions related to pregnancy," "childbirth or medical conditions related to  
2           childbirth," and "breastfeeding or medical conditions related to breastfeeding."
- 3       56. Defendant was aware of Plaintiff's pregnancy, childbirth, and medical condition related  
4           to her pregnancy and childbirth.
- 5       57. Defendant discriminated against Plaintiff in the compensation, terms, conditions and  
6           privileges of her employment.
- 7       58. Plaintiff's pregnancy, childbirth, and medical condition related to her pregnancy and  
8           childbirth, was a substantial motivating reason for Defendant to discriminate against  
9           Plaintiff in the compensation terms, conditions and privileges of her employment,  
10           including but not limited to, failure to accommodate, and termination.
- 11      59. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has  
12           sustained and continues to sustain substantial losses in earnings, employment benefits,  
13           employment opportunities, and Plaintiff has suffered other economic losses in an amount  
14           to be determined at time of trial. Plaintiff has sought to mitigate these damages.
- 15      60. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has  
16           suffered and continues to suffer humiliation, emotional distress, loss of reputation, and  
17           mental and physical pain and anguish, all to her damage in a sum to be established  
18           according to proof.
- 19      61. In addition to such other damages as may properly be recovered herein, Plaintiff is  
20           entitled to recover prevailing party attorneys' fees pursuant to Government Code section  
21           12965(c).

### **SECOND CAUSE OF ACTION**

#### **DISABILITY OR MEDICAL CONDITION DISCRIMINATION**

23           **[Cal. Gov't Code § 12940(a); § 12926(o)]**

- 24      62. Plaintiff re-alleges and incorporates herein by reference each and every allegation  
25           contained in the proceeding paragraphs as though fully set forth herein.
- 26      63. At all times mentioned herein, California Government Code section 12940 *et seq.* was in

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1 full force and effect and was binding on Defendant. This section required Defendant, as  
2 an employer, to refrain from discrimination against any employee on the basis of their  
3 disability or medical condition.

- 4 64. Plaintiff suffered from the disability or medical condition alleged herein. However,  
5 Plaintiff was able to perform her essential job duties with reasonable accommodation.  
6 65. Defendant was aware of Plaintiff's disability or medical condition that limited her ability  
7 to work.  
8 66. Defendant discriminated against Plaintiff in the compensation, terms, conditions and  
9 privileges of her employment.  
10 67. Plaintiff believes and thereon alleges that her disability and/or medical condition was a  
11 substantial motivating reason for Defendant's discrimination against her, including but  
12 not limited to, failure to accommodate, and termination.  
13 68. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has  
14 sustained and continues to sustain substantial losses in earnings, employment benefits,  
15 employment opportunities, and Plaintiff has suffered other economic losses in an amount  
16 to be determined at time of trial. Plaintiff has sought to mitigate these damages.  
17 69. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has  
18 suffered and continues to suffer humiliation, emotional distress, loss of reputation, and  
19 mental and physical pain and anguish, all to her damage in a sum to be established  
20 according to proof.  
21 70. As a result of Defendant's deliberate, outrageous, despicable conduct, Plaintiff is entitled  
22 to recover punitive and exemplary damages in an amount commensurate with  
23 Defendant's wrongful acts and sufficient to punish and deter future similar reprehensible  
24 conduct.  
25 71. In addition to such other damages as may properly be recovered herein, Plaintiff is  
26 entitled to recover prevailing party attorneys' fees pursuant to Government Code section  
27 12965(c).

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### **THIRD CAUSE OF ACTION**

## **DISCRIMINATION BASED ON ASSOCIATION WITH DISABILITY OR MEDICAL CONDITION**

[Cal. Gov't Code § 12940(a); § 12926(o)]

72. Plaintiff re-alleges and incorporates herein by reference each and every allegation contained in the proceeding paragraphs as though fully set forth herein.
  73. At all times mentioned herein, California Government Code section 12940 *et seq.* was in full force and effect and was binding on Defendant. This section required Defendant, as an employer, to refrain from discrimination against any employee on the basis of their disability or medical condition.
  74. At all times mentioned herein, Cal. Gov't Code § 12926(o) was in full force and effect and was binding on Defendants. This section provides that a [CAN INSERT ANY PROTECTED CHARACTERISTIC HERE] "disability" and "medical condition" includes...that the person is associated with a person who has, or is perceived to have, any of those characteristics."
  75. Plaintiff's daughter suffered from a disability or medical condition. Defendant was aware that Plaintiff's daughter suffered from a disability or medical condition. Plaintiff was able to perform her essential job duties. Plaintiff's daughter's disability or medical condition required more of Plaintiff's attention, but did not require so much attention that Plaintiff could not perform her job duties with a minor accommodation.
  76. Defendant discriminated against Plaintiff in the compensation, terms, conditions and privileges of her employment.
  77. Plaintiff believes and thereon alleges that her association with someone with a disability and/or medical condition was a substantial motivating reason for Defendant's discrimination against her, including but not limited to, retaliation, failure to accommodate, and termination.
  78. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has

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1 sustained and continues to sustain substantial losses in earnings, employment benefits,  
2 employment opportunities, and Plaintiff has suffered other economic losses in an amount  
3 to be determined at time of trial. Plaintiff has sought to mitigate these damages.

4 79. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has  
5 suffered and continues to suffer humiliation, emotional distress, loss of reputation, and  
6 mental and physical pain and anguish, all to her damage in a sum to be established  
7 according to proof.

8 80. As a result of Defendant's deliberate, outrageous, despicable conduct, Plaintiff is entitled  
9 to recover punitive and exemplary damages in an amount commensurate with  
10 Defendant's wrongful acts and sufficient to punish and deter future similar reprehensible  
conduct.

11 81. In addition to such other damages as may properly be recovered herein, Plaintiff is  
12 entitled to recover prevailing party attorneys' fees pursuant to Government Code section  
13 12965(c).

#### **FOURTH CAUSE OF ACTION**

##### **FAILURE TO ACCOMMODATE**

16 [Cal. Gov't Code § 12940(m)]

17 82. Plaintiff re-alleges and incorporates by reference each and every allegation contained in  
18 the preceding and subsequent paragraphs as though fully set forth herein.

19 83. Plaintiff has a disability that allowed her to work with accommodation. Defendant knew  
20 of Plaintiff's disability. Plaintiff requested accommodation, as stated herein.

21 84. Plaintiff was able to perform her essential job duties with accommodation for her  
22 disability, and in fact had been performing those essential duties under the requested  
23 accommodation at a different store location, as stated herein.

24 85. Defendant failed to provide reasonable accommodation for Plaintiff's disability.

25 86. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has  
26 sustained and continues to sustain substantial losses in earnings, employment benefits,

1 employment opportunities, and Plaintiff has suffered other economic losses in an amount  
2 to be determined at time of trial. Plaintiff has sought to mitigate these damages.

3 87. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has  
4 suffered and continues to suffer humiliation, emotional distress, loss of reputation, and  
5 mental and physical pain and anguish, all to her damage in a sum to be established  
6 according to proof.

7 88. In addition to such other damages as may properly be recovered herein, Plaintiff is  
8 entitled to recover prevailing party attorney's fees pursuant to Government Code section  
9 12965(c).

10 **FIFTH CAUSE OF ACTION**

11 **FAILURE TO ENGAGE IN THE INTERACTIVE PROCESS**

12 [Cal. Gov't Code §12940(n)]

13 89. Plaintiff re-alleges and incorporates by reference each and every allegation contained in  
14 the preceding paragraphs as though fully set forth herein.

15 90. Plaintiff had a disability or medical condition that allowed her to work with  
16 accommodation.

17 91. Defendant knew that Plaintiff suffered from a disability or medical condition.

18 92. Plaintiff requested that Defendant make reasonable accommodation for her disability or  
19 medical condition, so that she would be able to perform her essential job requirements.

20 93. Plaintiff was willing to participate in an interactive process to determine whether  
21 reasonable accommodation could be made so that she would be able to perform her  
22 essential job requirements.

23 94. Defendant failed to participate in a timely good-faith interactive process with Plaintiff to  
24 determine whether reasonable accommodation could be made.

25 95. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has  
26 sustained and continues to sustain substantial losses in earnings, employment benefits,  
27 employment opportunities, and Plaintiff has suffered other economic losses in an amount

1 to be determined at time of trial. Plaintiff has sought to mitigate these damages.

2 96. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has  
3 suffered and continues to suffer humiliation, emotional distress, loss of reputation, and  
4 mental and physical pain and anguish, all to her damage in a sum to be established  
5 according to proof.

6 97. In addition to such other damages as may properly be recovered herein, Plaintiff is  
7 entitled to recover prevailing party attorneys' fees pursuant to Government Code section  
8 12965(c).

9 **SIXTH CAUSE OF ACTION**

10 **REFUSAL TO GRANT PREGNANCY, CHILDBIRTH, OR A RELATED MEDICAL  
11 CONDITION LEAVE RIGHTS**

12 [Cal. Gov't Code § 12945(a)(1); 2 CCR §11042(c)]

13 98. Plaintiff re-alleges and incorporates by reference each and every allegation contained in  
14 the preceding paragraphs as though fully set forth herein.

15 99. At all times mentioned herein, Cal. Gov't Code §12945 was in full force and effect and  
16 was binding on Defendants. This section provides that it is unlawful for an employer to  
17 deny an employee disabled by pregnancy, childbirth, or a related medical condition to  
18 take a leave for a reasonable period of time not to exceed four months and thereafter  
return to the same or, if excused, a comparable position.

19 100. Defendant was aware of Plaintiff's pregnancy, childbirth, medical condition related to her  
20 pregnancy and childbirth.

21 101. Plaintiff sought pregnancy disability leave to care for her disability.

22 102. Plaintiff provided reasonable notice to Defendants, when foreseeable, of her need for  
leave.

23 103. Defendants wrongfully denied Plaintiff's reasonable requests for leave, in violation of  
24 Cal. Gov't Code §12945.

25 104. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has

sustained and continues to sustain substantial losses in earnings, employment benefits, employment opportunities, and Plaintiff has suffered other economic losses in an amount to be determined at time of trial. Plaintiff has sought to mitigate these damages.

105. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has suffered and continues to suffer humiliation, emotional distress, loss of reputation, and mental and physical pain and anguish, all to her damage in a sum to be established according to proof.
  106. In addition to such other damages as may properly be recovered herein, Plaintiff is entitled to recover prevailing party attorneys' fees pursuant to Government Code section 12965(c).

## **SEVENTH CAUSE OF ACTION**

**INTERFERENCE WITH, RESTRAINT, OR DENIAL OF PREGNANCY,  
CHILDBIRTH, OR A RELATED MEDICAL CONDITION LEAVE RIGHTS**

[Cal. Gov't Code § 12945(a)(4)]

107. Plaintiff re-alleges and incorporates by reference each and every allegation contained in the preceding paragraphs as though fully set forth herein.
  108. At all times mentioned herein, Cal. Gov't Code §12945 was in full force and effect and was binding on Defendants. This section provides that it is unlawful for an employer to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any of her pregnancy, childbirth, or a related medical condition rights, including but not limited to the right to up to four months of leave, reasonable accommodation for a condition related to pregnancy, including a reasonable amount of break time and use of a room in close proximity to Plaintiff's work area to express breast milk in private, childbirth, or a related medical condition, no retaliation against an employee for exercising her right to reasonable accommodation, to transfer, or to take pregnancy disability leave.
  109. Defendant was aware of Plaintiff's pregnancy, childbirth, medical condition related to her pregnancy and childbirth.

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110. Plaintiff sought pregnancy disability leave to care for her disability.
  111. Plaintiff provided reasonable notice to Defendants, when foreseeable, of her need for leave.
  112. Defendants wrongfully interfered with Plaintiff's requests for leave, right to a reasonable accommodation. Defendant retaliated against Plaintiff in response to her requests for and taking lawful leave.
  113. As a direct, foreseeable, and proximate result of Defendants' conduct, Plaintiff has sustained and continues to sustain substantial loss in earnings, employment benefits, employment opportunities, and Plaintiff has suffered economic loses in an amount to be determined at trial. Plaintiff has sought to mitigate these damages.
  114. As a proximate result of Defendants' willful, knowing, and intentional discrimination of Plaintiff, Plaintiff has suffered and continues to suffer humiliation, emotional distress, loss of reputation, and mental and physical pain and anguish, all to her damage in a sum to be established according to proof.
  115. As a result of Defendants' deliberate, outrageous and despicable conduct, Plaintiff is entitled to recover punitive and exemplary damages in an amount commensurate with each of Defendants' wrongful acts and sufficient to punish and deter future similar reprehensible conduct.
  116. Plaintiff has incurred and continues to incur legal expenses and attorney's fees.
  117. In addition to such other damages as may properly be recovered herein, Plaintiff is entitled to recover prevailing party attorney fees and costs pursuant to Cal. Gov't Code §

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## **EIGHTH CAUSE OF ACTION**

1                   **REFUSAL TO GRANT FAMILY CARE AND MEDICAL LEAVE RIGHTS**  
2                   **(BONDING LEAVE)**

3                   **[Cal. Gov't Code § 12945.2(a); 2 CCR §11088(a); 2 CCR §11089]**

- 4       118. Plaintiff re-alleges and incorporates by reference each and every allegation contained in  
5       the preceding paragraphs as though fully set forth herein.
- 6       119. At all times mentioned herein, Cal. Gov't Code §12945.2 was in full force and effect and  
7       was binding on Defendants. This section provides that it is unlawful for an employer to  
8       refuse to grant a request by any employee with more than 12 months of service with the  
9       employer, and who has at least 1,250 hours of service with the employer during the  
10      previous 12-month period to take up to a total of 12 workweeks in any 12-month period  
11      for family care and medical leave. It further provides that such leave requested shall not  
12      be deemed to have been granted unless the employer provides the employee, upon  
13      granting the leave request, a guarantee of employment in the same or a comparable  
14      position upon the termination of the leave. It is an unlawful employment practice for an  
15      employer, after granting a requested CFRA leave, to refuse to reinstate the employee to  
16      the same or a comparable position at the end of the leave. 2 CCR. § 11089(a)(2); 2 CCR §  
17      11089(b). An employee is entitled to reinstatement even if the employee has been  
18      replaced or the employee's position has been restructured to accommodate the  
19      employee's absence. 2 CCR § 11089(a)(2)(A).
- 20     120. Under Cal. Gov't Code §12945.2 Plaintiff is an eligible employee because she was a full  
21      time employee and had worked over twelve (12) months of at least 1,250 hours within  
22      that time period when she requested family care leave/medical leave.
- 23     121. Defendant was aware of Plaintiff's pregnancy and childbirth.
- 24     122. Plaintiff sought family care leave to bond with her child.
- 25     123. Plaintiff provided reasonable notice to Defendants, when foreseeable, of her need for  
26      leave.
- 27     124. Defendants wrongfully denied Plaintiff's reasonable requests for leave, in violation of

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- 1 Cal. Gov't Code §12945.2
- 2 125. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has
- 3 sustained and continues to sustain substantial losses in earnings, employment benefits,
- 4 employment opportunities, and Plaintiff has suffered other economic losses in an amount
- 5 to be determined at time of trial. Plaintiff has sought to mitigate these damages.
- 6 126. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has
- 7 suffered and continues to suffer humiliation, emotional distress, loss of reputation, and
- 8 mental and physical pain and anguish, all to her damage in a sum to be established
- 9 according to proof.
- 10 127. In addition to such other damages as may properly be recovered herein, Plaintiff is
- 11 entitled to recover prevailing party attorneys' fees pursuant to Government Code section
- 12 12965(c).

### **NINTH CAUSE OF ACTION**

#### **RETALIATION BASED ON EXERCISE OF CFRA RIGHTS**

[Cal. Gov't Code § 12945.2(q)]

128. Plaintiff re-alleges and incorporates by reference each and every allegation contained in
- 129 the preceding paragraphs as though fully set forth herein.
130. At all times mentioned herein, California Government Code section 12945.2 *et seq.* was
- 131 in full force and effect and was binding on Defendant. This section provides that it is
- 132 unlawful for Defendant, as an employer, to discriminate against an individual's exercise
- 133 of the right to leave, an individual's giving information or testimony as to her own leave,
- 134 or another person's leave, in an inquiry or proceeding relating to rights guaranteed by the
- 135 California Family Rights Act.
136. Plaintiff was eligible for and requested family care and/or medical leave.
137. Defendant, by and through its employees and agents, engaged in conduct that, taken as a
- 138 whole, materially and adversely affected the terms and conditions of Plaintiff's
- 139 employment, as stated herein, including but not limited to, retaliation, failure to

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1 accommodate, and termination.

- 2 132. Plaintiff believes and thereon alleges that her use of family care leave was a substantial  
3 motivating reason for Defendant engaging in conduct that, taken as a whole, materially  
4 and adversely affected the terms and conditions of Plaintiff's employment, up to and  
5 including but not limited to, retaliation, failure to accommodate, and termination.
- 6 133. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has  
7 sustained and continues to sustain substantial losses in earnings, employment benefits,  
8 employment opportunities, and Plaintiff has suffered other economic losses in an amount  
9 to be determined at time of trial. Plaintiff has sought to mitigate these damages.
- 10 134. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has  
11 suffered and continues to suffer humiliation, emotional distress, loss of reputation, and  
12 mental and physical pain and anguish, all to her damage in a sum to be established  
13 according to proof.
- 14 135. As a result of Defendant's deliberate, outrageous, despicable conduct, Plaintiff is entitled  
15 to recover punitive and exemplary damages in an amount commensurate with  
16 Defendant's wrongful acts and sufficient to punish and deter future similar reprehensible  
17 conduct.
- 18 136. In addition to such other damages as may properly be recovered herein, Plaintiff is  
19 entitled to recover prevailing party attorney fees pursuant to California Government Code  
section 12965.

20 **TENTH CAUSE OF ACTION**

21 **RETALIATION**

22 [Cal. Gov't Code § 12940(h)]

- 23 137. Plaintiff re-alleges and incorporates by reference each and every allegation contained in  
the preceding paragraphs as though fully set forth herein.
- 24 138. Plaintiff opposed Defendant's failure to accommodate her pregnancy, and pregnancy-  
related medical condition, and failure to engage the good faith interactive process to

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- 1           determine what accommodations were reasonable.
- 2 139. Defendant engaged in conduct that, taken as a whole, materially and adversely affected  
3           the terms and conditions of Plaintiff's employment.
- 4 140. Plaintiff believes and hereon alleges that her opposition to Defendant's unlawful conduct  
5           was a substantial motivating reason for Defendant engaging in conduct that, taken as a  
6           whole, materially and adversely affected the terms and conditions of her employment.
- 7 141. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has  
8           sustained and continues to sustain substantial losses in earnings, employment benefits,  
9           employment opportunities, and Plaintiff has suffered other economic losses in an amount  
10          to be determined at time of trial. Plaintiff has sought to mitigate these damages.
- 11 142. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has  
12          suffered and continues to suffer humiliation, emotional distress, loss of reputation, and  
13          mental and physical pain and anguish, all to her damage in a sum to be established  
14          according to proof.
- 15 143. As a result of Defendant's deliberate, outrageous, despicable conduct, Plaintiff is entitled  
16          to recover punitive and exemplary damages in an amount commensurate with  
17          Defendant's wrongful acts and sufficient to punish and deter future similar reprehensible  
18          conduct.
- 19 144. In addition to such other damages as may properly be recovered herein, Plaintiff is  
20          entitled to recover prevailing party attorneys' fees pursuant to Government Code section  
21          12965(c).

22           **ELEVENTH CAUSE OF ACTION**

23           **RETALIATION**

24           **[Cal. Lab. Code § 1102.5]**

- 25 145. Plaintiff re-alleges and incorporates by reference each and every allegation contained in  
26          the preceding paragraphs as though fully set forth herein.
- 27 146. California Labor Code § 1102.5(b) provides:

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- 1       An employer, or any person acting on behalf of the employer, shall not retaliate against  
2       an employee for disclosing information, or because the employer believes that the  
3       employee disclosed or may disclose information, to a government or law enforcement  
4       agency, to a person with authority over the employee or another employee who has the  
5       authority to investigate, discover, or correct the violation or noncompliance . . . if the  
6       employee has reasonable cause to believe that the information discloses a violation of  
7       state or federal statute, or a violation of or noncompliance with a local, state, or federal  
8       rule or regulation, regardless of whether disclosing the information is part of the  
9       employee's job duties.
- 10      147. California Labor Code section 245 et seq. provides that employees may accrue paid sick  
11       leave and may request and use up to 3 days or 24 hours of accrued paid sick leave per  
12       year and an employee may not be terminated or retaliated against for using or requesting  
13       the use of paid sick leave.
- 14      148. California Labor Code section 233 provides that employers who provide paid sick leave  
15       must permit employees to use "in any calendar year" the amount of "accrued and  
16       available" sick leave to care for themselves or a family member.
- 17      149. California Labor Code § 233 further prohibits an employer from denying an employee  
18       the right to use sick leave or discharge, threaten to discharge, demote, suspend, or in any  
19       manner discriminate against an employee for using, or attempting to exercise the right to  
20       use, sick leave to attend to an illness or the preventative care of a family member or  
21       themselves.
- 22      150. California Labor Code section 234 provides that "[a]n employer absence control policy  
23       that counts sick leave taken pursuant to Section 233 as an absence that may lead to or  
24       result in discipline, discharge, demotion, or suspension is a per se violation of Section  
25       233."
- 26      151. Plaintiff disclosed information to Defendant and/or their employees that she reasonably  
27       believed constituted violations of the California California Labor Code section 245 et  
seq. and section 233, as stated herein, including but not limited to, Defendant's reprimand  
for taking sick days off to care for herself and her daughter.
- 28      152. Plaintiff opposed Defendant's attempts to use her protected sick days against her in  
29       violation of California Labor Code section 233(c) and 246.5(c)(1).

- 1 153. Plaintiff had reasonable cause to believe that Defendant's acts were illegal.  
2 154. Plaintiff's disclosure of such information/opposition to Defendant's illegal actions was a  
3 contributing factor for Defendant's decision to retaliate and discriminate  
4 against her in the terms and conditions of her employment.  
5 155. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has  
6 sustained and continues to sustain substantial losses in earnings, employment benefits,  
7 employment opportunities, and Plaintiff has suffered other economic losses in an amount  
8 to be determined at time of trial. Plaintiff has sought to mitigate these damages.  
9 156. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has  
10 suffered and continues to suffer humiliation, emotional distress, loss of reputation, and  
11 mental and physical pain and anguish, all to her damage in a sum to be established  
12 according to proof.  
13 157. As a result of Defendant's deliberate, outrageous, despicable conduct, Plaintiff is entitled  
14 to recover punitive and exemplary damages in an amount commensurate with  
15 Defendant's wrongful acts and sufficient to punish and deter future similar reprehensible  
16 conduct.  
17 158. In addition to such other damages as may properly be recovered herein, Plaintiff is  
18 entitled to a \$10,000 penalty for each violation of Cal. Labor Code § 1102.5, pursuant to  
19 Cal. Labor Code § 1102.5(f), and attorney fees pursuant to Cal. Labor Code §1102.5(j).

20 **TWELFTH CAUSE OF ACTION**

21 **FAILURE TO PREVENT DISCRIMINATION, HARASSMENT AND RETALIATION]**

22 **[Cal. Gov't Code §12940(k)]**

- 23 159. Plaintiff re-alleges and incorporates by reference each and every allegation contained in  
24 the preceding paragraphs as though fully set forth herein.  
25 160. At all times mentioned herein, California Government Code section 12940 et seq. was in  
26 full force and effect and was binding on Defendant. This section provide that it is  
27 unlawful for Defendant, as an employer, to fail to take all reasonable steps necessary to

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1 prevent discrimination, harassment and retaliation from occurring.

2 161. Plaintiff was subjected to discrimination on the basis of her pregnancy, and disability, as  
3 set forth herein. Defendant failed to accommodate Plaintiff. Plaintiff was also subject to  
4 retaliation because she used pregnancy disability leave and family care leave and because  
5 she opposed Defendants' unlawful conduct.

6 162. Defendant failed to take reasonable steps to prevent the discrimination, harassment and  
7 retaliation as described herein.

8 163. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has  
9 sustained and continues to sustain substantial losses in earnings, employment benefits,  
10 employment opportunities, and Plaintiff has suffered other economic losses in an amount  
11 to be determined at time of trial. Plaintiff has sought to mitigate these damages.

12 164. As a further direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff  
13 has suffered and continues to suffer humiliation, emotional distress, loss of reputation,  
14 and mental and physical pain and anguish, all to her damage in a sum to be established  
15 according to proof.

16 165. As a result of Defendant's deliberate, outrageous, despicable conduct, Plaintiff is entitled  
17 to recover punitive and exemplary damages in an amount commensurate with  
18 Defendant's wrongful acts and sufficient to punish and deter future similar reprehensible  
19 conduct.

20 166. In addition to such other damages as may properly be recovered herein, Plaintiff is  
21 entitled to recover prevailing party attorney fees and costs pursuant to Cal. Gov't Code  
§12965.

22 **THIRTEENTH CAUSE OF ACTION**

23 **NEGLIGENT SUPERVISION**

24 167. Plaintiff re-alleges and incorporates by reference each and every allegation contained in  
25 the preceding and subsequent paragraphs as though fully set forth herein.

26 168. Plaintiff performed work for Defendant, as an employee, as stated herein.  
27

- 1 169. Plaintiff was subjected to discrimination on the basis of her pregnancy, and disability, as  
2 set forth herein. Defendant failed to accommodate Plaintiff. Plaintiff was also subject to  
3 retaliation because she used pregnancy disability leave and family care leave and because  
4 she opposed Defendants' unlawful conduct.
- 5 170. Defendant was aware of the illegal conduct.
- 6 171. Defendant failed to correct the unlawful and unethical conduct of their employee(s).
- 7 172. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has  
8 sustained and continues to sustain substantial losses in earnings and other employment  
9 benefits and opportunities. Plaintiff has sought to mitigate these damages.
- 10 173. As a further direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff  
11 has suffered and continues to suffer humiliation, emotional distress, loss of reputation,  
12 mental and physical pain, and anguish, all to her damage in a sum to be established  
13 according to proof.
- 14 174. As a result of Defendant's deliberate, outrageous, despicable conduct, Plaintiff is entitled  
15 to recover punitive and exemplary damages in an amount commensurate with  
16 Defendant's wrongful acts and sufficient to punish and deter future similar reprehensible  
17 conduct.
- 18 175. In addition to such other damages as may properly be recovered herein, Plaintiff is  
19 entitled to recover prevailing party attorney fees.

20 **FOURTEENTH CAUSE OF ACTION**

21 **INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS**

- 22 176. Plaintiff re-alleges and incorporates by reference each and every allegation contained in  
the preceding and subsequent paragraphs as though fully set forth herein.
- 23 177. Defendant's intentional conduct, as set forth herein, was extreme and outrageous.
- 24 178. Defendant intended to cause Plaintiff to suffer extreme emotional distress. Plaintiff did  
suffer extreme emotional distress as a result of Defendant's actions.
- 25 179. As a direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff has

1       sustained and continues to sustain substantial losses in earnings and other employment  
2       benefits and opportunities. Plaintiff has sought to mitigate these damages.

3       180. As a further direct, foreseeable, and proximate result of Defendant's conduct, Plaintiff  
4       has suffered and continues to suffer humiliation, emotional distress, loss of reputation,  
5       mental and physical pain, and anguish, all to her damage in a sum to be established  
6       according to proof.

7  
8       WHEREFORE, Plaintiff prays for the following relief:

- 9       1. For general and compensatory damages in an amount according to proof;  
10      2. For mental and emotional distress damages;  
11      3. For back pay, front pay and other monetary relief;  
12      4. For injunctive relief, including reinstatement, promotion, and retroactive  
13       seniority;  
14      5. For costs of litigation, expert costs, and attorneys' fees as permitted by law;  
15      6. For an award of interest at the prevailing legal rate, as permitted by law;  
16      7. For such other and further relief as the Court deems proper and just under all the  
17       circumstances.

18  
19      **PLAINTIFF YOSHIRA GASTELUM** demands a jury trial on all issues in this case.

20  
21      DATED: November 14, 2022

22      DELVAUX LAW

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27  
  
28      DAPHNE A.M. DELVAUX, ESQ.  
29      COLETTE N. MAHON, ESQ.  
30      Attorneys for Plaintiff,  
31      **YOSHIRA GASTELUM**

EXHIBIT A

- 1  
2  
3 (1) PLAINTIFF'S YOSHIRA GASTELUM's RIGHT TO SUE LETTER FROM  
4 DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING ("DFEH")  
5  
6 (2) PLAINTIFF'S YOSHIRA GASTELUM's COMPLAINT OF DISCRIMINATION  
7 FILED WITH DFEH  
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STATE OF CALIFORNIA | Business, Consumer Services and Housing Agency

GAVIN NEWSOM, GOVERNOR

## Civil Rights Department

KEVIN KISH, DIRECTOR

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711  
calccivilrights.ca.gov | contact.center@dfch.ca.gov

November 10, 2022

Colette Mahon  
2169 First Avenue  
San Diego, California 92109

**RE: Notice to Complainant's Attorney**  
CRD Matter Number: 202211-18845210  
Right to Sue: Gastelum Gonzalez / Target Corporation

Dear Colette Mahon:

Attached is a copy of your complaint of discrimination filed with the Civil Rights Department (CRD) pursuant to the California Fair Employment and Housing Act, Government Code section 12900 et seq. Also attached is a copy of your Notice of Case Closure and Right to Sue.

**Pursuant to Government Code section 12962, CRD will not serve these documents on the employer.** You must serve the complaint separately, to all named respondents. Please refer to the attached Notice of Case Closure and Right to Sue for information regarding filing a private lawsuit in the State of California. A courtesy "Notice of Filing of Discrimination Complaint" is attached for your convenience.

Be advised that the CRD does not review or edit the complaint form to ensure that it meets procedural or statutory requirements.

Sincerely,

Civil Rights Department



STATE OF CALIFORNIA | Business, Consumer Services and Housing Agency

GAVIN NEWSOM, GOVERNOR

KEVIN KISH, DIRECTOR

## Civil Rights Department

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711  
[calcivilrights.ca.gov](http://calcivilrights.ca.gov) | [contact.center@dfeh.ca.gov](mailto:contact.center@dfeh.ca.gov)

November 10, 2022

**RE: Notice of Filing of Discrimination Complaint**

CRD Matter Number: 202211-18845210

Right to Sue: Gastelum Gonzalez / Target Corporation

To All Respondent(s):

Enclosed is a copy of a complaint of discrimination that has been filed with the Civil Rights Department (CRD)) in accordance with Government Code section 12960. This constitutes service of the complaint pursuant to Government Code section 12962. The complainant has requested an authorization to file a lawsuit. A copy of the Notice of Case Closure and Right to Sue is enclosed for your records.

This matter may qualify for CRD's Small Employer Family Leave Mediation Pilot Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Government Code section 12945.2, has the right to participate in CRD's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in CRD's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. You may contact CRD's Small Employer Family Leave Mediation Pilot Program by emailing [DRDOnlinerequests@dfeh.ca.gov](mailto:DRDOnlinerequests@dfeh.ca.gov) and include the CRD matter number indicated on the Right to Sue notice.

Please refer to the attached complaint for a list of all respondent(s) and their contact information.

No response to CRD is requested or required.

Sincerely,



STATE OF CALIFORNIA | Business, Consumer Services and Housing Agency

GAVIN NEWSOM, GOVERNOR

KEVIN KISH, DIRECTOR

## Civil Rights Department

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711  
[calcivilrights.ca.gov](http://calcivilrights.ca.gov) | [contact.center@dfch.ca.gov](mailto:contact.center@dfch.ca.gov)

## Civil Rights Department



STATE OF CALIFORNIA | Business, Consumer Services and Housing Agency

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November 10, 2022

Yoshira Gastelum Gonzalez  
c/o 2169 First Avenue  
San Diego, CA 92101

**RE: Notice of Case Closure and Right to Sue**  
CRD Matter Number: 202211-18845210  
Right to Sue: Gastelum Gonzalez / Target Corporation

Dear Yoshira Gastelum Gonzalez:

This letter informs you that the above-referenced complaint filed with the Civil Rights Department (CRD) has been closed effective November 10, 2022 because an immediate Right to Sue notice was requested.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

This matter may qualify for CRD's Small Employer Family Leave Mediation Pilot Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Government Code section 12945.2, has the right to participate in CRD's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in CRD's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. Contact CRD's Small Employer Family Leave Mediation Pilot Program by emailing



STATE OF CALIFORNIA | Business, Consumer Services and Housing Agency

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## Civil Rights Department

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711  
[calcivilrights.ca.gov](mailto:calcivilrights.ca.gov) | [contact.center@dfeh.ca.gov](mailto:contact.center@dfeh.ca.gov)

DRDOnlinerequests@dfeh.ca.gov and include the CRD matter number indicated on the Right to Sue notice.

To obtain a federal Right to Sue notice, you must contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this CRD Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Civil Rights Department

1                   **COMPLAINT OF EMPLOYMENT DISCRIMINATION**  
2                   **BEFORE THE STATE OF CALIFORNIA**  
3                   Civil Rights Department  
4                   Under the California Fair Employment and Housing Act  
5                   (Gov. Code, § 12900 et seq.)

6                   **In the Matter of the Complaint of**

7                   Yoshira Gastelum Gonzalez

8                   CRD No. 202211-18845210

9                   Complainant,

10                  vs.

11                  Target Corporation

12                  Respondents

13                  1. Respondent **Target Corporation** is an **employer** subject to suit under the California Fair  
14                  Employment and Housing Act (FEHA) (Gov. Code, § 12900 et seq.).

15                  2. Complainant **Yoshira Gastelum Gonzalez**, resides in the City of **San Diego**, State of **CA**.

16                  3. Complainant alleges that on or about **July 8, 2022**, respondent took the following  
17                  adverse actions:

18                  **Complainant was discriminated against** because of complainant's sex/gender, disability  
19                  (physical or mental), pregnancy, childbirth, breast feeding, and/or related medical  
20                  conditions, association with a member of a protected class, family care or medical leave  
21                  (cfra) and as a result of the discrimination was terminated, denied any employment benefit  
22                  or privilege, denied reasonable accommodation for a disability, denied accommodation for  
23                  pregnancy, other, denied family care or medical leave (cfra).

24                  **Complainant experienced retaliation** because complainant reported or resisted any form  
25                  of discrimination or harassment, requested or used a pregnancy-disability-related  
26                  accommodation, requested or used a disability-related accommodation, requested or used  
27                  family care or medical leave (cfra) and as a result was terminated, denied any employment  
28                  benefit or privilege, denied reasonable accommodation for a disability, denied  
                        accommodation for pregnancy, other, denied family care or medical leave (cfra).

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2     **Additional Complaint Details:** See attached Complaint.  
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Complaint - CRD No. 202211-18845210

Date Filed: November 10, 2022

1 VERIFICATION

2 I, **Colette Mahon**, am the **Attorney** in the above-entitled complaint. I have read the  
3 foregoing complaint and know the contents thereof. The matters alleged are based  
4 on information and belief, which I believe to be true.

5 On November 10, 2022, I declare under penalty of perjury under the laws of the State  
6 of California that the foregoing is true and correct.

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26 San Diego, CA

<b>SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES</b>		Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Stanley Mosk Courthouse 111 North Hill Street, Los Angeles, CA 90012		<b>FILED</b> Superior Court of California County of Los Angeles <b>11/15/2022</b> Sherri R. Carter, Executive Officer / Clerk of Court By: <u>R. Perez</u> Deputy
<b>NOTICE OF CASE ASSIGNMENT UNLIMITED CIVIL CASE</b>		
Your case is assigned for all purposes to the judicial officer indicated below.		CASE NUMBER: <b>22STCV35977</b>

**THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT**

ASSIGNED JUDGE	DEPT	ROOM	ASSIGNED JUDGE	DEPT	ROOM
<input checked="" type="checkbox"/> Upinder S. Kalra	51				

Given to the Plaintiff/Cross-Complainant/Attorney of Record

on 11/15/2022  
(Date)

Sherri R. Carter, Executive Officer / Clerk of Court

By R. Perez, Deputy Clerk

**INSTRUCTIONS FOR HANDLING UNLIMITED CIVIL CASES**

The following critical provisions of the California Rules of Court, Title 3, Division 7, as applicable in the Superior Court, are summarized for your assistance.

**APPLICATION**

The Division 7 Rules were effective January 1, 2007. They apply to all general civil cases.

**PRIORITY OVER OTHER RULES**

The Division 7 Rules shall have priority over all other Local Rules to the extent the others are inconsistent.

**CHALLENGE TO ASSIGNED JUDGE**

A challenge under Code of Civil Procedure Section 170.6 must be made within 15 days after notice of assignment for all purposes to a judge, or if a party has not yet appeared, within 15 days of the first appearance.

**TIME STANDARDS**

Cases assigned to the Independent Calendaring Courts will be subject to processing under the following time standards:

**COMPLAINTS**

All complaints shall be served within 60 days of filing and proof of service shall be filed within 90 days.

**CROSS-COMPLAINTS**

Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints shall be served within 30 days of the filing date and a proof of service filed within 60 days of the filing date.

**STATUS CONFERENCE**

A status conference will be scheduled by the assigned Independent Calendar Judge no later than 270 days after the filing of the complaint. Counsel must be fully prepared to discuss the following issues: alternative dispute resolution, bifurcation, settlement, trial date, and expert witnesses.

**FINAL STATUS CONFERENCE**

The Court will require the parties to attend a final status conference not more than 10 days before the scheduled trial date. All parties shall have motions in limine, bifurcation motions, statements of major evidentiary issues, dispositive motions, requested form jury instructions, special jury instructions, and special jury verdicts timely filed and served prior to the conference. These matters may be heard and resolved at this conference. At least five days before this conference, counsel must also have exchanged lists of exhibits and witnesses, and have submitted to the court a brief statement of the case to be read to the jury panel as required by Chapter Three of the Los Angeles Superior Court Rules.

**SANCTIONS**

The court will impose appropriate sanctions for the failure or refusal to comply with Chapter Three Rules, orders made by the Court, and time standards or deadlines established by the Court or by the Chapter Three Rules. Such sanctions may be on a party, or if appropriate, on counsel for a party.

**This is not a complete delineation of the Division 7 or Chapter Three Rules, and adherence only to the above provisions is therefore not a guarantee against the imposition of sanctions under Trial Court Delay Reduction. Careful reading and compliance with the actual Chapter Rules is imperative.**

**Class Actions**

Pursuant to Local Rule 2.3, all class actions shall be filed at the Stanley Mosk Courthouse and are randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be a class action it will be returned to an Independent Calendar Courtroom for all purposes.

**\*Provisionally Complex Cases**

Cases filed as provisionally complex are initially assigned to the Supervising Judge of complex litigation for determination of complex status. If the case is deemed to be complex within the meaning of California Rules of Court 3.400 et seq., it will be randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be complex, it will be returned to an Independent Calendar Courtroom for all purposes.



## Superior Court of California, County of Los Angeles

### ALTERNATIVE DISPUTE RESOLUTION (ADR) INFORMATION PACKAGE

**THE PLAINTIFF MUST SERVE THIS ADR INFORMATION PACKAGE ON EACH PARTY WITH THE COMPLAINT.**

**CROSS-COMPLAINANTS** must serve this ADR Information Package on any new parties named to the action with the cross-complaint.

#### **What is ADR?**

ADR helps people find solutions to their legal disputes without going to trial. The main types of ADR are negotiation, mediation, arbitration, and settlement conferences. When ADR is done by phone, videoconference or computer, it may be called Online Dispute Resolution (ODR). These alternatives to litigation and trial are described below.

#### **Advantages of ADR**

- **Saves Time:** ADR is faster than going to trial.
- **Saves Money:** Parties can save on court costs, attorney's fees, and witness fees.
- **Keeps Control** (with the parties): Parties choose their ADR process and provider for voluntary ADR.
- **Reduces Stress/Protects Privacy:** ADR is done outside the courtroom, in private offices, by phone or online.

#### **Disadvantages of ADR**

- **Costs:** If the parties do not resolve their dispute, they may have to pay for ADR, litigation, and trial.
- **No Public Trial:** ADR does not provide a public trial or a decision by a judge or jury.

#### **Main Types of ADR**

1. **Negotiation:** Parties often talk with each other in person, or by phone or online about resolving their case with a settlement agreement instead of a trial. If the parties have lawyers, they will negotiate for their clients.
2. **Mediation:** In mediation, a neutral mediator listens to each person's concerns, helps them evaluate the strengths and weaknesses of their case, and works with them to try to create a settlement agreement that is acceptable to all. Mediators do not decide the outcome. Parties may go to trial if they decide not to settle.

#### **Mediation may be appropriate when the parties**

- want to work out a solution but need help from a neutral person.
- have communication problems or strong emotions that interfere with resolution.

#### **Mediation may not be appropriate when the parties**

- want a public trial and want a judge or jury to decide the outcome.
- lack equal bargaining power or have a history of physical/emotional abuse.

## How to Arrange Mediation in Los Angeles County

Mediation for **civil cases** is voluntary and parties may select any mediator they wish. Options include:

a. **The Civil Mediation Vendor Resource List**

If all parties in an active civil case agree to mediation, they may contact these organizations to request a "Resource List Mediation" for mediation at reduced cost or no cost (for selected cases).

- **ADR Services, Inc.** Case Manager Elizabeth Sanchez, [\(elizabeth@adrservices.com\)](mailto:elizabeth@adrservices.com)  
(949) 863-9800
- **Mediation Center of Los Angeles** Program Manager [info@mediationLA.org](mailto:info@mediationLA.org)  
(833) 476-9145

**These organizations cannot accept every case and they may decline cases at their discretion.** They may offer online mediation by video conference for cases they accept. Before contacting these organizations, review important information and FAQs at [www.lacourt.org/ADR.Res.List](http://www.lacourt.org/ADR.Res.List)

**NOTE: The Civil Mediation Vendor Resource List program does not accept family law, probate or small claims cases.**

b. **Los Angeles County Dispute Resolution Programs**

<https://hrc.lacounty.gov/wp-content/uploads/2020/05/DRP-Fact-Sheet-23October19-Current-as-of-October-2019-1.pdf>

Day of trial mediation programs have been paused until further notice.

**Online Dispute Resolution (ODR).** Parties in small claims and unlawful detainer (eviction) cases should carefully review the Notice and other information they may receive about (ODR) requirements for their case.

c. **Mediators and ADR and Bar organizations that provide mediation may be found on the internet.**

**3. Arbitration:** Arbitration is less formal than trial, but like trial, the parties present evidence and arguments to the person who decides the outcome. In "binding" arbitration, the arbitrator's decision is final; there is no right to trial. In "nonbinding" arbitration, any party can request a trial after the arbitrator's decision. For more information about arbitration, visit <http://www.courts.ca.gov/programs-adr.htm>

**4. Mandatory Settlement Conferences (MSC):** MSCs are ordered by the Court and are often held close to the trial date or on the day of trial. The parties and their attorneys meet with a judge or settlement officer who does not make a decision but who instead assists the parties in evaluating the strengths and weaknesses of the case and in negotiating a settlement. For information about the Court's MSC programs for civil cases, visit <http://www.lacourt.org/division/civil/C10047.aspx>

Los Angeles Superior Court ADR website: <http://www.lacourt.org/division/civil/C10109.aspx>  
For general information and videos about ADR, visit <http://www.courts.ca.gov/programs-adr.htm>

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**FILED**  
5 Superior Court of California  
6 County of Los Angeles  
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10 Sherri R. Carter, Executive Officer/Clerk  
11 By *Rizalinda Mina*, Deputy  
12 Rizalinda Mina  
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14 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
15 FOR THE COUNTY OF LOS ANGELES  
16

17 IN RE LOS ANGELES SUPERIOR COURT ) FIRST AMENDED GENERAL ORDER  
18 - MANDATORY ELECTRONIC FILING )  
19 FOR CIVIL )  
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On December 3, 2018, the Los Angeles County Superior Court mandated electronic filing of all documents in Limited Civil cases by litigants represented by attorneys. On January 2, 2019, the Los Angeles County Superior Court mandated electronic filing of all documents filed in Non-Complex Unlimited Civil cases by litigants represented by attorneys. (California Rules of Court, rule 2.253(b).) All electronically filed documents in Limited and Non-Complex Unlimited cases are subject to the following:

1) DEFINITIONS

- a) **“Bookmark”** A bookmark is a PDF document navigational tool that allows the reader to quickly locate and navigate to a designated point of interest within a document.
- b) **“Efiling Portal”** The official court website includes a webpage, referred to as the efiling portal, that gives litigants access to the approved Electronic Filing Service Providers.
- c) **“Electronic Envelope”** A transaction through the electronic service provider for submission of documents to the Court for processing which may contain one or more PDF documents attached.
- d) **“Electronic Filing”** Electronic Filing (eFiling) is the electronic transmission to a Court of a document in electronic form. (California Rules of Court, rule 2.250(b)(7).)

- 1       e) **“Electronic Filing Service Provider”** An Electronic Filing Service Provider (EFSP) is a  
2           person or entity that receives an electronic filing from a party for retransmission to the Court.  
3           In the submission of filings, the EFSP does so on behalf of the electronic filer and not as an  
4           agent of the Court. (California Rules of Court, rule 2.250(b)(8).)
- 5       f) **“Electronic Signature”** For purposes of these local rules and in conformity with Code of  
6           Civil Procedure section 17, subdivision (b)(3), section 34, and section 1010.6, subdivision  
7           (b)(2), Government Code section 68150, subdivision (g), and California Rules of Court, rule  
8           2.257, the term “Electronic Signature” is generally defined as an electronic sound, symbol, or  
9           process attached to or logically associated with an electronic record and executed or adopted  
10          by a person with the intent to sign the electronic record.
- 11      g) **“Hyperlink”** An electronic link providing direct access from one distinctively marked place  
12          in a hypertext or hypermedia document to another in the same or different document.
- 13      h) **“Portable Document Format”** A digital document format that preserves all fonts,  
14          formatting, colors and graphics of the original source document, regardless of the application  
15          platform used.

16     2) MANDATORY ELECTRONIC FILING

17       a) Trial Court Records

18           Pursuant to Government Code section 68150, trial court records may be created, maintained,  
19          and preserved in electronic format. Any document that the Court receives electronically must  
20          be clerically processed and must satisfy all legal filing requirements in order to be filed as an  
21          official court record (California Rules of Court, rules 2.100, et seq. and 2.253(b)(6)).

22       b) Represented Litigants

23           Pursuant to California Rules of Court, rule 2.253(b), represented litigants are required to  
24          electronically file documents with the Court through an approved EFSP.

25       c) Public Notice

26           The Court has issued a Public Notice with effective dates the Court required parties to  
27          electronically file documents through one or more approved EFSPs. Public Notices containing  
28          effective dates and the list of EFSPs are available on the Court’s website, at [www.lacourt.org](http://www.lacourt.org).

1           d) Documents in Related Cases

2           Documents in related cases must be electronically filed in the eFiling portal for that case type if  
3           electronic filing has been implemented in that case type, regardless of whether the case has  
4           been related to a Civil case.

5           3) EXEMPT LITIGANTS

- 6           a) Pursuant to California Rules of Court, rule 2.253(b)(2), self-represented litigants are exempt  
7           from mandatory electronic filing requirements.
- 8           b) Pursuant to Code of Civil Procedure section 1010.6, subdivision (d)(3) and California Rules of  
9           Court, rule 2.253(b)(4), any party may make application to the Court requesting to be excused  
10           from filing documents electronically and be permitted to file documents by conventional  
11           means if the party shows undue hardship or significant prejudice.

12          4) EXEMPT FILINGS

- 13           a) The following documents shall not be filed electronically:
- 14              i) Peremptory Challenges or Challenges for Cause of a Judicial Officer pursuant to Code of  
15                Civil Procedure sections 170.6 or 170.3;
- 16              ii) Bonds/Undertaking documents;
- 17              iii) Trial and Evidentiary Hearing Exhibits
- 18              iv) Any ex parte application that is filed concurrently with a new complaint including those  
19                that will be handled by a Writs and Receivers department in the Mosk courthouse; and
- 20              v) Documents submitted conditionally under seal. The actual motion or application shall be  
21                electronically filed. A courtesy copy of the electronically filed motion or application to  
22                submit documents conditionally under seal must be provided with the documents  
23                submitted conditionally under seal.

24           b) Lodgments

25           Documents attached to a Notice of Lodgment shall be lodged and/or served conventionally in  
26           paper form. The actual document entitled, "Notice of Lodgment," shall be filed electronically.

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1       5) ELECTRONIC FILING SYSTEM WORKING PROCEDURES

2              Electronic filing service providers must obtain and manage registration information for persons  
3              and entities electronically filing with the court.

4       6) TECHNICAL REQUIREMENTS

5              a) Electronic documents must be electronically filed in PDF, text searchable format **when**  
6              technologically feasible without impairment of the document's image.

7              b) The table of contents for any filing must be bookmarked.

8              c) Electronic documents, including but not limited to, declarations, proofs of service, and  
9              exhibits, must be bookmarked within the document pursuant to California Rules of Court, rule  
10             3.1110(f)(4). Electronic bookmarks must include links to the first page of each bookmarked  
11             item (e.g. exhibits, declarations, deposition excerpts) and with bookmark titles that identify the  
12             bookmarked item and briefly describe the item.

13             d) Attachments to primary documents must be bookmarked. Examples include, but are not  
14             limited to, the following:

- 15               i) Depositions;  
16               ii) Declarations;  
17               iii) Exhibits (including exhibits to declarations);  
18               iv) Transcripts (including excerpts within transcripts);  
19               v) Points and Authorities;  
20               vi) Citations; and  
21               vii) Supporting Briefs.

22             e) Use of hyperlinks within documents (including attachments and exhibits) is strongly  
23             encouraged.

24             f) Accompanying Documents

25               Each document accompanying a single pleading must be electronically filed as a **separate**  
26               digital PDF document.

27             g) Multiple Documents

28               Multiple documents relating to one case can be uploaded in one envelope transaction.

1 h) Writs and Abstracts

2 Writs and Abstracts must be submitted as a separate electronic envelope.

3 i) Sealed Documents

4 If and when a judicial officer orders documents to be filed under seal, those documents must be  
5 filed electronically (unless exempted under paragraph 4); the burden of accurately designating  
6 the documents as sealed at the time of electronic submission is the submitting party's  
7 responsibility.

8 j) Redaction

9 Pursuant to California Rules of Court, rule 1.201, it is the submitting party's responsibility to  
10 redact confidential information (such as using initials for names of minors, using the last four  
11 digits of a social security number, and using the year for date of birth) so that the information  
12 shall not be publicly displayed.

13 7) ELECTRONIC FILING SCHEDULE

14 a) Filed Date

15 i) Any document received electronically by the court between 12:00 am and 11:59:59 pm  
16 shall be deemed to have been effectively filed on that court day if accepted for filing. Any  
17 document received electronically on a non-court day, is deemed to have been effectively  
18 filed on the next court day if accepted. (California Rules of Court, rule 2.253(b)(6); Code  
19 Civ. Proc. § 1010.6(b)(3).)

20 ii) Notwithstanding any other provision of this order, if a digital document is not filed in due  
21 course because of: (1) an interruption in service; (2) a transmission error that is not the  
22 fault of the transmitter; or (3) a processing failure that occurs after receipt, the Court may  
23 order, either on its own motion or by noticed motion submitted with a declaration for Court  
24 consideration, that the document be deemed filed and/or that the document's filing date  
25 conform to the attempted transmission date.

26 8) EX PARTE APPLICATIONS

27 a) Ex parte applications and all documents in support thereof must be electronically filed no later  
28 than 10:00 a.m. the court day before the ex parte hearing.

1           b) Any written opposition to an ex parte application must be electronically filed by 8:30 a.m. the  
2           day of the ex parte hearing. A printed courtesy copy of any opposition to an ex parte  
3           application must be provided to the court the day of the ex parte hearing.

4) PRINTED COURTESY COPIES

5           a) For any filing electronically filed two or fewer days before the hearing, a courtesy copy must  
6           be delivered to the courtroom by 4:30 p.m. the same business day the document is efiled. If  
7           the efilng is submitted after 4:30 p.m., the courtesy copy must be delivered to the courtroom  
8           by 10:00 a.m. the next business day.

9           b) Regardless of the time of electronic filing, a printed courtesy copy (along with proof of  
10          electronic submission) is required for the following documents:

- 11           i) Any printed document required pursuant to a Standing or General Order;
- 12           ii) Pleadings and motions (including attachments such as declarations and exhibits) of 26  
13            pages or more;
- 14           iii) Pleadings and motions that include points and authorities;
- 15           iv) Demurrers;
- 16           v) Anti-SLAPP filings, pursuant to Code of Civil Procedure section 425.16;
- 17           vi) Motions for Summary Judgment/Adjudication; and
- 18           vii) Motions to Compel Further Discovery.

19           c) Nothing in this General Order precludes a Judicial Officer from requesting a courtesy copy of  
20          additional documents. Courtroom specific courtesy copy guidelines can be found at  
21          [www.lacourt.org](http://www.lacourt.org) on the Civil webpage under "Courtroom Information."

22) WAIVER OF FEES AND COSTS FOR ELECTRONICALLY FILED DOCUMENTS

23           a) Fees and costs associated with electronic filing must be waived for any litigant who has  
24          received a fee waiver. (California Rules of Court, rules 2.253(b)(), 2.258(b), Code Civ. Proc. §  
25          1010.6(d)(2).)

26           b) Fee waiver applications for waiver of court fees and costs pursuant to Code of Civil Procedure  
27          section 1010.6, subdivision (b)(6), and California Rules of Court, rule 2.252(f), may be  
28          electronically filed in any authorized action or proceeding.

1 11) SIGNATURES ON ELECTRONIC FILING

2 For purposes of this General Order, all electronic filings must be in compliance with California  
3 Rules of Court, rule 2.257. This General Order applies to documents filed within the Civil  
4 Division of the Los Angeles County Superior Court.

5

6 This First Amended General Order supersedes any previous order related to electronic filing,  
7 and is effective immediately, and is to remain in effect until otherwise ordered by the Civil  
8 Supervising Judge and/or Presiding Judge.

9

10 DATED: May 3, 2019

Kevin C. Brazile  
KEVIN C. BRAZILE  
Presiding Judge



## VOLUNTARY EFFICIENT LITIGATION STIPULATIONS

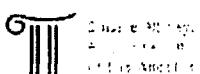


Superior Court of California  
County of Los Angeles

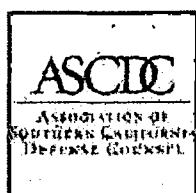


Los Angeles County  
Bar Association  
Litigation Section

Los Angeles County  
Bar Association Labor and  
Employment Law Section



Consumer Attorneys  
Association of Los Angeles



Southern California  
Defense Counsel



Association of  
Business Trial Lawyers



California Employment  
Lawyers Association

The Early Organizational Meeting Stipulation, Discovery Resolution Stipulation, and Motions in Limine Stipulation are voluntary stipulations entered into by the parties. The parties may enter into one, two, or all three of the stipulations; however, they may not alter the stipulations as written, because the Court wants to ensure uniformity of application. These stipulations are meant to encourage cooperation between the parties and to assist in resolving issues in a manner that promotes economic case resolution and judicial efficiency.

*The following organizations endorse the goal of promoting efficiency in litigation and ask that counsel consider using these stipulations as a voluntary way to promote communications and procedures among counsel and with the court to fairly resolve issues in their cases.*

### ◆ Los Angeles County Bar Association Litigation Section ◆

### ◆ Los Angeles County Bar Association Labor and Employment Law Section ◆

### ◆ Consumer Attorneys Association of Los Angeles ◆

### ◆ Southern California Defense Counsel ◆

### ◆ Association of Business Trial Lawyers ◆

### ◆ California Employment Lawyers Association ◆

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:	STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.:	FAX NO. (Optional):	
E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>		
COURTHOUSE ADDRESS:		
PLAINTIFF:		
DEFENDANT:		
<b>STIPULATION – EARLY ORGANIZATIONAL MEETING</b>		CASE NUMBER:

**This stipulation is intended to encourage cooperation among the parties at an early stage in the litigation and to assist the parties in efficient case resolution.**

**The parties agree that:**

1. The parties commit to conduct an initial conference (in-person or via teleconference or via videoconference) within 15 days from the date this stipulation is signed, *to discuss and consider whether there can be agreement on the following:*
  - a. Are motions to challenge the pleadings necessary? If the issue can be resolved by amendment as of right, or if the Court would allow leave to amend, could an amended complaint resolve most or all of the issues a demurrer might otherwise raise? If so, the parties agree to work through pleading issues so that a demurrer need only raise issues they cannot resolve. Is the issue that the defendant seeks to raise amenable to resolution on demurrer, or would some other type of motion be preferable? Could a voluntary targeted exchange of documents or information by any party cure an uncertainty in the pleadings?
  - b. Initial mutual exchanges of documents at the "core" of the litigation. (For example, in an employment case, the employment records, personnel file and documents relating to the conduct in question could be considered "core." In a personal injury case, an incident or police report, medical records, and repair or maintenance records could be considered "core.");
  - c. Exchange of names and contact information of witnesses;
  - d. Any insurance agreement that may be available to satisfy part or all of a judgment, or to indemnify or reimburse for payments made to satisfy a judgment;
  - e. Exchange of any other information that might be helpful to facilitate understanding, handling, or resolution of the case in a manner that preserves objections or privileges by agreement;
  - f. Controlling issues of law that, if resolved early, will promote efficiency and economy in other phases of the case. Also, when and how such issues can be presented to the Court;
  - g. Whether or when the case should be scheduled with a settlement officer, what discovery or court ruling on legal issues is reasonably required to make settlement discussions meaningful, and whether the parties wish to use a sitting judge or a private mediator or other options as

SHORT TITLE:	CASE NUMBER:
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discussed in the "Alternative Dispute Resolution (ADR) Information Package" served with the complaint;

- h. Computation of damages, including documents, not privileged or protected from disclosure, on which such computation is based;
  - i. Whether the case is suitable for the Expedited Jury Trial procedures (see information at [www.lacourt.org](http://www.lacourt.org) under "Civil" and then under "General Information").
2. The time for a defending party to respond to a complaint or cross-complaint will be extended to \_\_\_\_\_ for the complaint, and \_\_\_\_\_ for the cross-complaint, which is comprised of the 30 days to respond under Government Code § 68616(b), and the 30 days permitted by Code of Civil Procedure section 1054(a), good cause having been found by the Civil Supervising Judge due to the case management benefits provided by this Stipulation. A copy of the General Order can be found at [www.lacourt.org](http://www.lacourt.org) under "Civil", click on "General Information", then click on "Voluntary Efficient Litigation Stipulations".
3. The parties will prepare a joint report titled "Joint Status Report Pursuant to Initial Conference and Early Organizational Meeting Stipulation, and if desired, a proposed order summarizing results of their meet and confer and advising the Court of any way it may assist the parties' efficient conduct or resolution of the case. The parties shall attach the Joint Status Report to the Case Management Conference statement, and file the documents when the CMC statement is due.
4. References to "days" mean calendar days, unless otherwise noted. If the date for performing any act pursuant to this stipulation falls on a Saturday, Sunday or Court holiday, then the time for performing that act shall be extended to the next Court day

The following parties stipulate:

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

Date:



\_\_\_\_\_  
(ATTORNEY FOR PLAINTIFF)



\_\_\_\_\_  
(ATTORNEY FOR DEFENDANT)



\_\_\_\_\_  
(ATTORNEY FOR DEFENDANT)



\_\_\_\_\_  
(ATTORNEY FOR DEFENDANT)



\_\_\_\_\_  
(ATTORNEY FOR \_\_\_\_\_)



\_\_\_\_\_  
(ATTORNEY FOR \_\_\_\_\_)



\_\_\_\_\_  
(ATTORNEY FOR \_\_\_\_\_)

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:	STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FAX NO. (Optional):	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>		
COURTHOUSE ADDRESS:		
PLAINTIFF:		
DEFENDANT:		
<b>STIPULATION – DISCOVERY RESOLUTION</b>		CASE NUMBER:

**This stipulation is intended to provide a fast and informal resolution of discovery issues through limited paperwork and an informal conference with the Court to aid in the resolution of the issues.**

**The parties agree that:**

1. Prior to the discovery cut-off in this action, no discovery motion shall be filed or heard unless the moving party first makes a written request for an Informal Discovery Conference pursuant to the terms of this stipulation.
2. At the Informal Discovery Conference the Court will consider the dispute presented by parties and determine whether it can be resolved informally. Nothing set forth herein will preclude a party from making a record at the conclusion of an Informal Discovery Conference, either orally or in writing.
3. Following a reasonable and good faith attempt at an informal resolution of each issue to be presented, a party may request an Informal Discovery Conference pursuant to the following procedures:
  - a. The party requesting the Informal Discovery Conference will:
    - i. File a Request for Informal Discovery Conference with the clerk's office on the approved form (copy attached) and deliver a courtesy, conformed copy to the assigned department;
    - ii. Include a brief summary of the dispute and specify the relief requested; and
    - iii. Serve the opposing party pursuant to any authorized or agreed method of service that ensures that the opposing party receives the Request for Informal Discovery Conference no later than the next court day following the filing.
  - b. Any Answer to a Request for Informal Discovery Conference must:
    - i. Also be filed on the approved form (copy attached);
    - ii. Include a brief summary of why the requested relief should be denied;

SHORT TITLE:	CASE NUMBER:
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- iii. Be filed within two (2) court days of receipt of the Request; and
  - iv. Be served on the opposing party pursuant to any authorized or agreed upon method of service that ensures that the opposing party receives the Answer no later than the next court day following the filing.
  - c. No other pleadings, including but not limited to exhibits, declarations, or attachments, will be accepted.
  - d. If the Court has not granted or denied the Request for Informal Discovery Conference within ten (10) days following the filing of the Request, then it shall be deemed to have been denied. If the Court acts on the Request, the parties will be notified whether the Request for Informal Discovery Conference has been granted or denied and, if granted, the date and time of the Informal Discovery Conference, which must be within twenty (20) days of the filing of the Request for Informal Discovery Conference.
  - e. If the conference is not held within twenty (20) days of the filing of the Request for Informal Discovery Conference, unless extended by agreement of the parties and the Court, then the Request for the Informal Discovery Conference shall be deemed to have been denied at that time.
4. If (a) the Court has denied a conference or (b) one of the time deadlines above has expired without the Court having acted or (c) the Informal Discovery Conference is concluded without resolving the dispute, then a party may file a discovery motion to address unresolved issues.
5. The parties hereby further agree that the time for making a motion to compel or other discovery motion is tolled from the date of filing of the Request for Informal Discovery Conference until (a) the request is denied or deemed denied or (b) twenty (20) days after the filing of the Request for Informal Discovery Conference, whichever is earlier, unless extended by Order of the Court.

It is the understanding and intent of the parties that this stipulation shall, for each discovery dispute to which it applies, constitute a writing memorializing a "specific later date to which the propounding [or demanding or requesting] party and the responding party have agreed in writing," within the meaning of Code Civil Procedure sections 2030.300(c), 2031.320(c), and 2033.290(c).

- 6. Nothing herein will preclude any party from applying *ex parte* for appropriate relief, including an order shortening time for a motion to be heard concerning discovery.
- 7. Any party may terminate this stipulation by giving twenty-one (21) days notice of intent to terminate the stipulation.
- 8. References to "days" mean calendar days, unless otherwise noted. If the date for performing any act pursuant to this stipulation falls on a Saturday, Sunday or Court holiday, then the time for performing that act shall be extended to the next Court day.

SHORT TITLE:	CASE NUMBER:
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**The following parties stipulate:**

Date:

(TYPE OR PRINT NAME)



(ATTORNEY FOR PLAINTIFF)



(ATTORNEY FOR DEFENDANT)



(ATTORNEY FOR DEFENDANT)



(ATTORNEY FOR DEFENDANT)



(ATTORNEY FOR \_\_\_\_\_)



(ATTORNEY FOR \_\_\_\_\_)



(ATTORNEY FOR \_\_\_\_\_)

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:	STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FAX NO. (Optional):	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>		
COURTHOUSE ADDRESS:		
PLAINTIFF:		
DEFENDANT:		
<b>INFORMAL DISCOVERY CONFERENCE</b> (pursuant to the Discovery Resolution Stipulation of the parties)		CASE NUMBER:

1. This document relates to:
  - Request for Informal Discovery Conference
  - Answer to Request for Informal Discovery Conference
2. Deadline for Court to decide on Request: \_\_\_\_\_ (insert date 10 calendar days following filing of the Request).
3. Deadline for Court to hold Informal Discovery Conference: \_\_\_\_\_ (insert date 20 calendar days following filing of the Request).
4. For a Request for Informal Discovery Conference, briefly describe the nature of the discovery dispute, including the facts and legal arguments at issue. For an Answer to Request for Informal Discovery Conference, briefly describe why the Court should deny the requested discovery, including the facts and legal arguments at issue.

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:	STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FAX NO. (Optional):	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>		
COURTHOUSE ADDRESS:		
PLAINTIFF:		
DEFENDANT:		
<b>STIPULATION AND ORDER – MOTIONS IN LIMINE</b>		CASE NUMBER:

**This stipulation is intended to provide fast and informal resolution of evidentiary issues through diligent efforts to define and discuss such issues and limit paperwork.**

**The parties agree that:**

1. At least \_\_\_\_\_ days before the final status conference, each party will provide all other parties with a list containing a one paragraph explanation of each proposed motion in limine. Each one paragraph explanation must identify the substance of a single proposed motion in limine and the grounds for the proposed motion.
2. The parties thereafter will meet and confer, either in person or via teleconference or videoconference, concerning all proposed motions in limine. In that meet and confer, the parties will determine:
  - a. Whether the parties can stipulate to any of the proposed motions. If the parties so stipulate, they may file a stipulation and proposed order with the Court.
  - b. Whether any of the proposed motions can be briefed and submitted by means of a short joint statement of issues. For each motion which can be addressed by a short joint statement of issues, a short joint statement of issues must be filed with the Court 10 days prior to the final status conference. Each side's portion of the short joint statement of issues may not exceed three pages. The parties will meet and confer to agree on a date and manner for exchanging the parties' respective portions of the short joint statement of issues and the process for filing the short joint statement of issues.
3. All proposed motions in limine that are not either the subject of a stipulation or briefed via a short joint statement of issues will be briefed and filed in accordance with the California Rules of Court and the Los Angeles Superior Court Rules.

SHORT TITLE:	CASE NUMBER:
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**The following parties stipulate:**

Date:

(TYPE OR PRINT NAME)



(ATTORNEY FOR PLAINTIFF)



(ATTORNEY FOR DEFENDANT)



(ATTORNEY FOR DEFENDANT)



(ATTORNEY FOR DEFENDANT)



(ATTORNEY FOR \_\_\_\_\_)



(ATTORNEY FOR \_\_\_\_\_)



(ATTORNEY FOR \_\_\_\_\_)

**THE COURT SO ORDERS.**

Date:

\_\_\_\_\_

JUDICIAL OFFICER

1  
2  
**FILED**  
3 LOS ANGELES SUPERIOR COURT  
4  
5

MAY 11 2011

6 JOHN A. CLARKE, CLERK  
7 *N. Navarro*  
8 BY NANCY NAVARRO, DEPUTY  
9

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11  
12  
13  
**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**FOR THE COUNTY OF LOS ANGELES**  
14

15 General Order Re ) ORDER PURSUANT TO CCP 1054(a),  
16 Use of Voluntary Efficient Litigation ) EXTENDING TIME TO RESPOND BY  
17 Stipulations ) 30 DAYS WHEN PARTIES AGREE  
18 ) TO EARLY ORGANIZATIONAL  
19 ) MEETING STIPULATION  
20  
21

22 Whereas the Los Angeles Superior Court and the Executive Committee of the  
23 Litigation Section of the Los Angeles County Bar Association have cooperated in  
24 drafting "Voluntary Efficient Litigation Stipulations" and in proposing the stipulations for  
25 use in general jurisdiction civil litigation in Los Angeles County;

26 Whereas the Los Angeles County Bar Association Litigation Section; the Los  
27 Angeles County Bar Association Labor and Employment Law Section; the Consumer  
28 Attorneys Association of Los Angeles; the Association of Southern California Defense  
Counsel; the Association of Business Trial Lawyers of Los Angeles; and the California  
Employment Lawyers Association all "endorse the goal of promoting efficiency in  
litigation, and ask that counsel consider using these stipulations as a voluntary way to  
promote communications and procedures among counsel and with the court to fairly  
resolve issues in their cases;"

1 Whereas the Early Organizational Meeting Stipulation is intended to encourage  
2 cooperation among the parties at an early stage in litigation in order to achieve  
3 litigation efficiencies;

4 Whereas it is intended that use of the Early Organizational Meeting Stipulation  
5 will promote economic case resolution and judicial efficiency;

6 Whereas, in order to promote a meaningful discussion of pleading issues at the  
7 Early Organizational Meeting and potentially to reduce the need for motions to  
8 challenge the pleadings, it is necessary to allow additional time to conduct the Early  
9 Organizational Meeting before the time to respond to a complaint or cross complaint  
10 has expired;

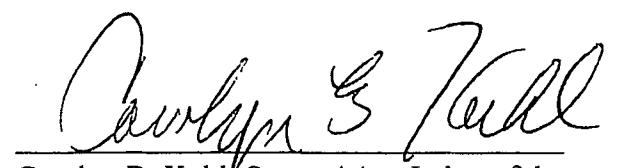
11 Whereas Code of Civil Procedure section 1054(a) allows a judge of the court in  
12 which an action is pending to extend for not more than 30 days the time to respond to  
13 a pleading "upon good cause shown";

14 Now, therefore, this Court hereby finds that there is good cause to extend for 30  
15 days the time to respond to a complaint or to a cross complaint in any action in which  
16 the parties have entered into the Early Organizational Meeting Stipulation. This finding  
17 of good cause is based on the anticipated judicial efficiency and benefits of economic  
18 case resolution that the Early Organizational Meeting Stipulation is intended to  
19 promote.

20 IT IS HEREBY ORDERED that, in any case in which the parties have entered  
21 into an Early Organizational Meeting Stipulation, the time for a defending party to  
22 respond to a complaint or cross complaint shall be extended by the 30 days permitted  
23

1 by Code of Civil Procedure section 1054(a) without further need of a specific court  
2 order.

3 DATED: May 11, 2011

4   
5 Carolyn B. Kuhl, Supervising Judge of the  
6 Civil Departments, Los Angeles Superior Court